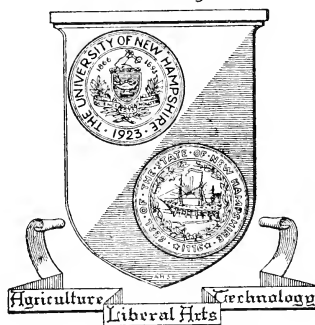




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JOURNAL  
OF THE  
HONORABLE SENATE  
JANUARY SESSION, 1923



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WEDNESDAY, JANUARY 3, 1923.

At 11 o'clock in the forenoon of the first Wednesday of January, in the year of our Lord one thousand nine hundred and twenty-three, being the day prescribed by the Constitution for the Legislature of New Hampshire to assemble, the following named persons, elected senators, assembled in the Capitol, in the City of Concord, in said state, and His Excellency, the Honorable Albert O. Brown, Governor, attended by the Honorable Council, having come into the Senate Chamber, took and subscribed the oaths of office and were duly qualified as Senators, agreeably to the provisions of the Constitution, namely:

- District No. 1—Ovide J. Coulombe.  
2—Leon D. Ripley.  
3—Dick E. Burns.  
4—Sewall W. Abbott.  
5—Ora A. Brown.  
6—John A. Hammond.  
7—John A. Jaquith.  
8—Ralph E. Lufkin.  
9—Harry L. Holmes.  
10—Herman C. Rice.  
11—Chester L. Lane.  
12—James H. Hunt.  
13—Daniel J. Hagerty.  
14—Walter H. Tripp.  
15—Benjamin H. Orr.  
16—Frederick W. Branch.

- District No. 17—Clinton S. Osgood.  
 18—John S. Hurley.  
 19—Omer Janelle.  
 20—Edgar J. Ham.  
 21—Homer Foster Elder.  
 22—Wesley Adams.  
 23—John F. Swasey.  
 24—William A. Hodgdon.

His Excellency the Governor and the Honorable Council then withdrawing, the Senate was called to order by Clarence S. Forsaith, clerk of the Senate of last session.

The clerk stated that the first business was the election of a temporary presiding officer.

On motion of Senator Orr, Senator Brown was chosen temporary presiding officer.

The clerk requested Senators Orr and Tripp to conduct the temporary presiding officer to the chair.

Senator Brown, having assumed the chair, on motion of Senator Osgood, the Senate proceeded to the choice of a president by ballot, with the following result:

Whole number of votes cast . . . . .	22
Necessary for a choice . . . . .	12
Hon. Walter H. Tripp had . . . . .	7
Hon. Wesley Adams had . . . . .	15

and the Hon. Wesley Adams, having received a majority of all the votes cast, was declared elected.

Senator Tripp expressed his appreciation for the complimentary vote given him, and on motion of the same Senator, the election of President Adams was made unanimous.

The Chair requested Senators Tripp and Orr to conduct the President to the chair.

The President, having assumed the chair, addressed the Senate as follows:

*Senators:*

It is with the deepest appreciation of your confidence that I accept the honor which you gentlemen have conferred

upon me by selecting me as your presiding officer. I consider it a great honor to have been selected to preside over the important duties which will come before us, and I am sure that I shall have your indulgence and support and that we will all work for the best interests of the people of this grand and glorious state of ours.

Realizing that we represent the varied industries of our state, I trust that each of us will be willing to pledge his best efforts to the service of the state in the solution of the problems that may come before us, to the end that every just demand may have fair consideration and that the people shall not be burdened by any unnecessary appropriations or laws.

Assuring you that at all times I shall endeavor to preside fairly and impartially to all, and again thanking you for the great honor conferred upon me, I await your pleasure.

On motion of Senator Tripp the following resolution was adopted:

*Resolved*, That Bernard B. Chase, as clerk, be elected by acclamation; that Benjamin F. Greer, Jr., as assistant clerk, be elected by acclamation; that Frederick W. Moore, as sergeant-at-arms, be elected by acclamation; that Richard W. Walton, as messenger, be elected by acclamation; that Frank M. Ayer, as doorkeeper, be elected by acclamation; and that Bernard B. Chase, Benjamin F. Greer, Jr., Frederick W. Moore, Richard W. Walton and Frank M. Ayer are hereby elected for the several positions named, respectively.

Thereupon Bernard B. Chase, Benjamin F. Greer, Jr., Frederick W. Moore, Richard W. Walton and Frank M. Ayer appeared and signified to their acceptance and were duly sworn to the faithful discharge of their duties before the President.

A true record:

CLARENCE S. FORSAITH,  
*Clerk for 1921-1922.*

A true copy. Attest:

CLARENCE S. FORSAITH,  
*Clerk for 1921-1922.*

On motion of Senator Hunt the following resolution was adopted:

*Resolved*, That the rules of the Senate for the last session be the rules of the Senate for the present session until otherwise ordered.

On motion of Senator Holmes the following resolution was adopted:

*Resolved*, That until otherwise ordered, the Senate will meet at 11 o'clock in the forenoon and at 2 o'clock in the afternoon.

On motion of Senator Orr the following resolution was adopted:

*Resolved*, That the Secretary of State be requested to furnish the Senate the official returns of votes from the various senatorial districts for the state.

On motion of Senator Ripley the following resolution was adopted:

*Resolved*, That the return of votes in the several senatorial districts be referred to a select committee of three, with instructions to examine and count the same, and report to the Senate whether any vacancies exist, and, if so, in what senatorial district.

The President appointed as members of such committee Senators Orr, Ripley and Tripp.

On motion of Senator Osgood the following resolution was adopted:

*Resolved*, That the House of Representatives be informed that the Senate, having assembled, has organized by the choice of Wesley Adams, as President, Bernard B. Chase, as clerk, Benj. F. Greer, Jr., as assistant clerk, Frederick W. Moore, as sergeant-at-arms, Richard W. Walton, as messenger, Frank M. Ayer, as doorkeeper, and is now ready to proceed with the business of the session.

On motion of Senator Brown the following resolution was adopted:

*Resolved*, That the clerk of the Senate be authorized to furnish at the expense of the state, during the session of 1923, two such daily newspapers printed within the state



to the members and officers of the Senate, as such members and officers may select and to the Governor and Council.

On motion of Senator Burns the following resolution was adopted:

*Resolved*, That the clerk be instructed to procure the services of two stenographers, one for the Judiciary Committee, and one as assistant for the clerks of the Senate, each to perform such duties as may be assigned to them.

On motion of Senator Jaquith the following resolution was adopted:

*Resolved*, That the President of the Senate be authorized to appoint a telephone messenger and an assistant messenger for the ensuing session.

Pursuant to the above resolution the President appointed Joab N. Patterson of Concord as telephone messenger, and Charles E. Wendell of Dover, as assistant messenger.

The Honorable Edwin C. Bean, Secretary of State, appeared and presented the returns of votes for Senators from the various senatorial districts, as returned to the Secretary's office.

#### REPORT OF COMMITTEE.

The select committee, to whom was referred the returns of votes for Senators in the several districts, having attended to their duties, and having examined the returns made to the Secretary of State and the records in the office of said Secretary, report that they find the state of the vote returned from the several districts as follows:

##### *District No. 1.*

Ovide J. Coulombe had . . . . . 2,672

James A. Moffett had . . . . . 2,282

and Ovide J. Coulombe, having a plurality of all the votes cast, is elected.

##### *District No. 2.*

Leon D. Ripley had . . . . . 2,607

Joseph A. Seymour had . . . . . 1,949

and Leon D. Ripley, having a plurality of all the votes cast, is elected.

*District No. 3.*

Dick E. Burns had . . . . .	3,353
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George W. Pike had . . . . .	2,735
------------------------------	-------

and Dick E. Burns, having a plurality of all the votes cast, is elected.

*District No. 4.*

Sewell W. Abbott had . . . . .	3,177
--------------------------------	-------

William Pitman had . . . . .	2,185
------------------------------	-------

and Sewell W. Abbott, having a plurality of all the votes cast, is elected.

*District No. 5.*

Ora A. Brown had . . . . .	2,769
----------------------------	-------

Roland A. Lewin had . . . . .	2,495
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and Ora A. Brown, having a plurality of all the votes cast, is elected.

*District No. 6.*

John A. Hammond had . . . . .	3,079
-------------------------------	-------

Lewis H. Wilkinson had . . . . .	2,839
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and John A. Hammond, having a plurality of all the votes cast, is elected.

*District No. 7.*

John A. Jaquith had . . . . .	3,287
-------------------------------	-------

Louis H. Douphinett had . . . . .	3,197
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and John A. Jaquith, having a plurality of all the votes cast, is elected.

*District No. 8.*

Ralph E. Lufkin had . . . . .	2,909
-------------------------------	-------

Orra S. Bugbee had . . . . .	1,982
------------------------------	-------

and Ralph E. Lufkin, having a plurality of all the votes cast, is elected.

*District No. 9.*

Harry L. Holmes had . . . . .	2,995
-------------------------------	-------

Robert T. Gould had . . . . .	2,143
-------------------------------	-------

and Harry L. Holmes, having a plurality of all the votes cast, is elected.

*District No. 10.*

Herman C. Rice had . . . . .	2,191
George E. Forbes had . . . . .	1,785

and Herman C. Rice, having a plurality of all the votes cast, is elected.

*District No. 11.*

Chester L. Lane had . . . . .	2,804
Elwyn S. Seaver had . . . . .	1,659

and Chester L. Lane, having a plurality of all the votes cast, is elected.

*District No. 12.*

James H. Hunt had . . . . .	3,111
Orville D. Fessenden had . . . . .	1,890

and James H. Hunt, having a plurality of all the votes cast, is elected.

*District No. 13.*

Daniel J. Hagerty had . . . . .	3,774
Henry E. Labine had . . . . .	1,678

and Daniel Hagerty, having a plurality of all the votes cast, is elected.

*District No. 14.*

Walter H. Tripp had . . . . .	2,997
Perham Parker had . . . . .	2,621

and Walter H. Tripp, having a plurality of all the votes cast, is elected.

*District No. 15.*

Benjamin H. Orr had . . . . .	2,170
Willis H. Flint had . . . . .	2,081

and Benjamin H. Orr, having a plurality of all the votes cast, is elected.

*District No. 16.*

Frederick W. Branch had . . . . .	2,179
George Allen Putnam had . . . . .	2,045

and Frederick W. Branch, having a plurality of all the votes cast, is elected.

*District No. 17.*

Clinton S. Osgood had.....	2,804
William McElroy had.....	1,989

and Clinton S. Osgood, having a plurality of all the votes cast, is elected.

*District No. 18.*

John S. Hurley had.....	5,866
-------------------------	-------

and John S. Hurley, having a plurality of all the votes cast, is elected.

*District No. 19.*

Omer Janelle had.....	2,047
Napoleon Turgeon had.....	649

and Omer Janelle, having a plurality of all the votes cast, is elected.

*District No. 20.*

Edgar J. Ham had.....	4,495
Fred I. Thayer had.....	2,696

and Edgar J. Ham, having a plurality of all the votes cast, is elected.

*District No. 21.*

Homer Foster Elder had.....	2,889
John D. McCooey had.....	2,882

and Homer Foster Elder, having a plurality of all the votes cast, is elected.

*District No. 22.*

Wesley Adams had.....	3,865
William G. Mealey had.....	3,422

and Wesley Adams, having a plurality of all the votes cast, is elected.

*District No. 23.*

John F. Swasey had.....	3,615
James H. Ingersoll had.....	1,574

and John F. Swasey, having a plurality of all the votes cast, is elected.

*District No. 24.*

William A. Hodgdon had . . . . . 2,667  
 Abbot B. Drake had . . . . . 2,476  
 and William A. Hodgdon, having a plurality of all the votes  
 cast, is elected.

BENJAMIN H. ORR,  
 LEON D. RIPLEY,  
 WALTER H. TRIPP,  
*Committee.*

The report of the Committee was accepted.

The Senate took a recess subject to the call of the chair.

(Recess.)

The Senate, having reassembled, the following message  
 was received from the House of Representatives by its  
 clerk:

## HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following  
 resolutions:

*Resolved*, That the Honorable Senate be informed that  
 the House of Representatives has organized by the election  
 of William J. Ahern as Speaker, Randolph W. Branch as  
 clerk, Alvin A. Lucier as assistant clerk and James W. Prid-  
 ham as sergeant-at-arms and is now ready to proceed with  
 the business of the session.

*Resolved*, That the Honorable Senate be informed that  
 the House of Representatives will be ready to meet the  
 Senate in joint convention for the purpose of canvassing  
 the votes for governor and councilors, agreeably to the pro-  
 visions of the constitution, at 3.10 o'clock this afternoon.

On motion of Senator Abbott, the following resolution  
 was adopted:

*Resolved*, That the House of Representatives be informed  
 that the Honorable Senate will be ready to meet the House  
 in joint convention for the purpose of canvassing the votes

for the Governor and Councilors, agreeably to the provisions of the constitution, at 3.10 o'clock this afternoon.

On motion of Senator Brown the Senate adjourned.

### AFTERNOON.

Pursuant to resolution previously adopted, the Senate met the House of Representatives in joint convention for the purpose of canvassing the votes for Governor and Councilors.

(See House Proceedings.)

Upon returning to the Senate Chamber, on motion of Senator Osgood the Senate adjourned.

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### THURSDAY, JANUARY 4, 1923.

The Senate met according to adjournment.

On motion of Senator Hammond the following resolution was adopted:

*Resolved*, by the Senate, the House of Representatives concurring, that the joint rules of the last legislature be the joint rules of this legislature until otherwise ordered.

On motion of Senator Lufkin the following resolution was adopted:

*Resolved*, That all bills and joint resolutions reported by committees, with the exception of new bills originating in the committees, shall be handed to the clerk, who shall cause a list of said bills and joint resolutions to be published in the appendix of the daily journal, together with the report of the committee, previous to their presentation to the Senate.

The following message was received from the House of Representatives by its clerk:

*Mr. President:*

#### HOUSE MESSAGE.

The House of Representatives has passed the following resolution:

*Resolved*, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in joint Convention at 12.30 o'clock for the purpose of receiving His Excellency, the Governor, and any communication he may be pleased to make, and for the transaction of such other business as may properly come before such convention.

The message further announced that the House of Representatives has passed the following resolution in the passage of which it asked the concurrence of the Honorable Senate:

*Resolved*, by the House of Representatives, the Senate concurring, that a committee of three on the part of the House and two on the part of the Senate, be appointed to make the necessary assignment of rooms for the presiding officers and committees of the House and Senate, and to report said assignments to the House and Senate as early as possible.

On motion of Senator Abbott the Senate voted to concur with the House of Representatives in the foregoing resolution.

The President appointed as members of such committee on the part of the Senate, Senators Abbott and Ham.

The message also announced that the House of Representatives had passed the following resolution:

*Resolved*, That the Committee on Rules, with such members as the Senate may join, be a committee on joint rules of the Senate and House of Representatives.

On motion of Senator Orr the Senate voted to concur with the House of Representatives in the foregoing resolution.

The message also announced that

The House of Representatives has concurred with the Senate in the passage of the following resolution:

*Resolved*, That the House of Representatives concur with the Honorable Senate that the joint rules of the last legislature be the joint rules of this legislature until otherwise ordered.

On motion of Senator Branch the following resolution was adopted:

*Resolved*, That the Senate will be ready to meet the House of Representatives in joint convention, as suggested by the House message, at *twelve thirty o'clock*, for the purpose of receiving His Excellency, the Governor, and any communication he may be pleased to make, and for the transaction for such other business as may properly come before such convention.

Agreeably to the foregoing resolution the Senate met the House of Representatives in joint convention.

(See House Proceedings.)

Upon returning to the Senate chamber; on motion of Senator Coulombe the Senate adjourned.

#### AFTERNOON.

On motion of Senator Elder the following resolution was adopted:

*Resolved*, That when the Senate adjourns this afternoon, it adjourn to meet tomorrow morning at 9.30 o'clock, and when it adjourns Friday morning it be to meet Monday evening at 7.30 o'clock.

On motion of Senator Swasey the Senate adjourned.

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#### FRIDAY, JANUARY 5, 1923.

The Senate met according to adjournment.

On motion of Senator Orr, the Senate adjourned.

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#### MONDAY, JANUARY 8, 1923.

The Senate met according to adjournment.

The President announced the following standing and joint standing committees:



## STANDING COMMITTEES.

*Judiciary.*—Senators Abbott, Ripley, Hunt, Hurley, Osgood.

*Incorporations.*—Senators Lane, Elder, Jaquith, Branch, Hurley.

*Labor.*—Senators Swasey, Ripley, Abbott, Janelle, Hagerty.

*Military Affairs.*—Senators Hagerty, Hunt, Elder, Rice, Branch.

*Roads, Bridges and Canals.*—Senators Jaquith, Holmes, Brown, Tripp, Janelle.

*Claims.*—Senators Holmes, Rice, Swasey, Hurley, Tripp.

*Railroads.*—Senators Tripp, Orr, Jaquith, Lane, Coulombe.

*Banks.*—Senators Elder, Brown, Hunt, Ham, Branch.

*Agriculture.*—Senators Hammond, Lufkin, Swasey, Tripp, Ham.

*Manufactures.*—Senators Elder, Orr, Lane, Janelle, Tripp.

*Elections.*—Senators Ham, Hunt, Rice, Lane, Osgood.

*Education.*—Senators Swasey, Rice, Hammond, Hagerty, Osgood.

*Finance.*—Senators Brown, Elder, Hammond, Osgood, Hurley.

*State Prison and Industrial School.*—Senators Hodgdon, Lane, Jaquith, Hurley, Ham.

*State Hospital.*—Senators Orr, Burns, Lufkin, Hagerty, Ham.

*Revision of Laws.*—Senators Ripley, Abbott, Hammond, Branch, Coulombe.

*Towns and Parishes.*—Senators Rice, Ripley, Brown, Coulombe, Hagerty.

*Soldiers' Home.*—Senators Hunt, Lufkin, Jaquith, Hagerty, Osgood.

*Fisheries and Game.*—Senators Orr, Holmes, Elder, Hurley, Coulombe.

*School for Feeble Minded.*—Senators Burns, Hodgdon, Lane, Coulombe, Janelle.

*Public Health.*—Senators Hodgdon, Orr, Abbott, Ham, Janelle.

*Forestry.*—Senators Lufkin, Jaquith, Burns, Ham, Janelle.

*Public Improvements.*—Senators Hodgdon, Holmes, Burns, Tripp, Ham.

*Rules.*—President Adams, Senators Orr, Tripp.

#### JOINT STANDING COMMITTEES.

*Engrossed Bills.*—Senators Ripley, Osgood.

*State Library.*—Senator Rice.

*State House and State House Yards.*—Senator Orr.

*Joint Rules.*—President Adams, Senators Abbott, Tripp.

Pursuant to a resolution previously adopted, the clerk appointed Bessie A. Callaghan of Manchester and Margaret F. Cameron of Concord as stenographers for the session.

On motion of Senator Ripley, the Senate adjourned.

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#### TUESDAY, JANUARY 9, 1923.

The Senate met according to adjournment.

#### LEAVES OF ABSENCE.

Senator Hunt was granted leave of absence for the day on account of sickness.

Senator Tripp was granted leave of absence for the day on account of important business.

#### INTRODUCTION OF JOINT RESOLUTIONS.

Senator Hammond introduced the following joint resolution which was read a first and second time, laid upon the table to be printed, and referred:

To the Committee on the Judiciary,

Senate Joint Resolution No. 1, Joint resolution providing for a Fact-Finding Commission relative to proposed legislation as to hours of labor.

Senator Orr introduced the following joint resolution, which was read a first and second time, laid upon the table to be printed, and referred:

To the Committee on the Judiciary,

Senate Joint Resolution No. 2, Joint resolution to provide for a Commission to provide for an investigation of the facts pertaining to proposed 48 hour legislation for women and children in industry.

#### INTRODUCTION OF A BILL.

Senator Coulombe introduced the following entitled bill:

Senate Bill No. 1, An act to provide a new Charter for the City of Berlin.

On motion of Senator Ripley the rules were suspended and the bill read a first time by its title. The bill was then read a second time, laid upon the table to be printed, and referred:

To the Committee on Revision of Laws.

On motion of Senator Ham the Senate adjourned.

#### AFTERNOON.

On motion of Senator Hagerty the Senate adjourned.

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#### WEDNESDAY, JANUARY 10, 1923.

The Senate met according to adjournment.

#### LEAVE OF ABSENCE.

Senator Hunt was granted leave of absence for the day on account of illness.

On motion of Senator Abbott the following resolution was adopted:

*Resolved*, That the Senate has learned with genuine sorrow of the illness of Senator Hunt and that the Sergeant-at-Arms be instructed to procure flowers and send to Senator Hunt in token of our esteem and as an evidence of our sorrow that he cannot be with us.

## COMMITTEE REPORT.

Senator Abbott, for the committee to whom was referred the assignment of rooms to the President, the standing committees of the Senate, and joint standing committees of the Senate and House, reported with the following resolution:

*Resolved*, That the assignment of rooms to the several committees of the Senate, and to the joint standing committees of the House and Senate be as follows:

## STANDING COMMITTEES OF THE SENATE.

- On Judiciary,—Room 153, Attorney-General's office.
- On Incorporations,—Room 154.
- On Labor,—Room 145, Labor Commissioner's office.
- On Military Affairs,—Room 102, Adjutant-General's office.
- On Roads, Bridges and Canals,—State Library.
- On Claims,—State Library.
- On Railroads,—Room 145, Labor Commissioner's office.
- On Banks,—Room 150, Bank Commissioner's office.
- On Agriculture,—Room 120, Department of Agriculture.
- On Manufactures,—State Library.
- On Elections,—Room 157.
- On Education,—Patriot Bldg., Room 300.
- On Finance,—Room 154.
- On State Prison and Industrial School,—Room 150, Bank Commissioner's office.
- On State Hospital,—Room 155.
- On Revision of Laws,—Room 155.
- On Towns and Parishes,—Room 127, G. A. R. Headquarters.
- On Soldiers' Home,—Room 127, G. A. R. Headquarters.
- On Fisheries and Game,—Room 109, Fish and Game Department.
- On School for the Feeble-Minded,—Room 155.
- On Public Health,—Room 107, Board of Health.
- On Forestry,—Room 145, Labor Commissioner's office.
- On Public Improvements,—Room 135.
- On Rules,—Room 122, Superintendent's office.

## JOINT STANDING COMMITTEES.

Engrossed Bills,—Office of Secretary of State.  
State Library,—State Library.  
State House and State House Yards,—Room 122.  
Joint Rules,—Room 122.

The report was accepted.

On a *viva voce* vote the resolution was adopted.

On motion of Senator Rice the Senate adjourned.

## AFTERNOON.

On motion of Senator Hodgdon the Senate adjourned.

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THURSDAY, JANUARY 11, 1923.

The Senate met according to adjournment.

## LEAVE OF ABSENCE.

Senator Ripley was granted leave of absence for the day on account of important business.

On motion of Senator Brown the following resolution was adopted:

*Resolved*, That the printing of the journals of the sessions of the Senate on Friday mornings and Monday evenings be consolidated with the journal of Tuesday of each week.

The Senate took a recess subject to the call of the Chair.

(Recess.)

## THE SENATE REASSEMBLED.

On motion of Senator Hurley the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9.00 o'clock, and when it adjourns Friday morning it be to meet Monday evening at 7.30 o'clock.

On motion of Senator Lane the Senate adjourned.

FRIDAY, JANUARY 12, 1923.

The Senate met according to adjournment.

There being manifestly no quorum present, President Adams declared the Senate adjourned until Monday evening, 7.30 o'clock.

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MONDAY, JANUARY 15, 1923.

The Senate met according to adjournment.

On motion of Senator Lufkin the Senate adjourned.

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TUESDAY, JANUARY 16, 1923.

The Senate met according to adjournment.

On motion of Senator Osgood, the Senate took a recess subject to the call of the Chair.

(Recess.)

The Senate reassembled.

On motion of Senator Coulombe the Senate adjourned.

AFTERNOON.

On motion of Senator Hodgdon the Senate adjourned.

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WEDNESDAY, JANUARY 17, 1923.

The Senate met according to adjournment.

INTRODUCTION OF JOINT RESOLUTION.

Senator Ripley introduced the following joint resolution, which was read a first and second time, laid upon the table to be printed, and referred:

To the Committee on Revision of Laws,

Senate Joint Resolution No. 3, Joint resolution author-

izing the Finance Committee of the Governor's Council to investigate and report facts in regard to the administration of state affairs by the several departments and state institutions.

The Senate took a recess subject to the call of the Chair.

(Recess.)

The Senate reassembled.

The following message was received from the House of Representatives by its clerk:

HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following resolution:

*Resolved:* That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in Convention at 12 o'clock noon, today, for the purpose of proceeding to the election of a Secretary of State, State Treasurer and Commissary-General.

On motion of Senator Abbott the following resolution was adopted:

*Resolved,* That the Senate meet the House of Representatives in joint convention at 12 o'clock noon, today, for the purpose of proceeding to the election of a Secretary of State, State Treasurer and Commissary-General.

Agreeably to the foregoing resolution the Senate met the House of Representatives in joint convention.

(See House Proceedings.)

Upon returning to the Senate Chamber, on motion of Senator Brown, the Senate adjourned.

AFTERNOON.

On motion of Senator Ham the Senate adjourned.

THURSDAY, JANUARY 18, 1923.

The Senate met according to adjournment.

LEAVES OF ABSENCE.

Leaves of absence were granted Senators Ripley and Hagerty for the day on account of important business.

INTRODUCTION OF BILLS.

Senator Hunt introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed, and referred:

To the Committee on the Judiciary,

Senate Bill No. 2, An act in amendment of Section 12, Chapter 266 of the Public Statutes as amended by Chapter 211, Section 1, of the Session Laws of 1913, relating to Trespass and Malicious Injuries.

Senator Elder introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed, and referred:

To the Committee on Banks,

Senate Bill No. 3, An act in Relation to the Examination of Savings Banks by the Trustees.

Senator Hurley introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed, and referred:

To the Committee on the Judiciary,

Senate Bill No. 4, An act to Provide for the Division Into Day and Night Forces of Permanent Members of Fire Departments.

The Senate took a recess subject to the call of the Chair.

(Recess.)

The Senate reassembled.

On motion of Senator Tripp the Senate adjourned.



## AFTERNOON.

The following message was received from the House of Representatives by its clerk:

## HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bill and joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 7, An act to legalize the biennial election held on the seventh day of November, 1922, in the Town of Newbury.

Joint Resolution No. 7, Joint resolution in relation to a gift to the State of New Hampshire by Benjamin A. Kimball of his homestead premises in Concord for use as a Governor's mansion.

## READ AND REFERRED.

The following entitled bill and joint resolution sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on the Judiciary,

House Bill No. 7, An act to legalize the Biennial Election held on the seventh day of November, 1922, in the Town of Newbury.

House Joint Resolution No. 7, Joint resolution in relation to a gift to the State of New Hampshire by Benjamin A. Kimball of his homestead premises in Concord for use as a Governor's Mansion.

On motion of Senator Holmes the following resolution was adopted:

*Resolved*, That when the Senate adjourns this afternoon, it adjourn to meet tomorrow morning at 9.00 o'clock, and when it adjourns Friday morning it be to meet Monday evening at 7.30 o'clock.

On motion of Senator Jaquith, the Senate adjourned.

FRIDAY, JANUARY 19, 1923.

The Senate met according to adjournment.

On motion of Senator Orr, the Senate adjourned.

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MONDAY, JANUARY 22, 1923.

The Senate met according to adjournment.

On motion of Senator Lufkin, the Senate adjourned.

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TUESDAY, JANUARY 23, 1923.

The Senate met according to adjournment.

#### LEAVE OF ABSENCE.

Senator Holmes was granted leave of absence for the day on account of death in his family.

#### INTRODUCTION OF BILLS.

On motion of Senator Orr, the rules were so far suspended that the following entitled bills were read a first and second time by their titles.

Senator Ripley introduced the following entitled bills, which were read a first and second time by their titles, laid upon the table to be printed, and referred:

To the Committee on Revision of Laws,

Senate Bill No. 5, An act relating to the Fees of Sheriffs and Deputy Sheriffs.

Senate Bill No. 6, An act to amend Chapter 15 of the Public Statutes; An act to Insure to the Citizens of New Hampshire the Benefits of the Established Standard Time.

Senator Osgood introduced the following entitled bills, which were read a first and second time by their titles, laid upon the table to be printed, and referred:

To the Committee on the Judiciary,

Senate Bill No. 7, An act in Relation to the Foreclosure of Power of Sale Mortgages of Real Estate.

Senate Bill No. 8, An act in relation to Receiptors for Property Under Attachment.

To the Committee on Education,

Senate Bill No. 9, An act relating to the State Board of Education.

Senator Branch introduced the following entitled bills, which were read a first and second time by their titles, laid upon the table to be printed, and referred:

To the Committee on Revision of Laws,

Senate Bill No. 10, An act in amendment of Chapter 56 of the Public Statutes as amended by Chapter 12 of the Laws of 1921, relating to the exemption from Taxation of Veterans of the War of the Rebellion, the Spanish-American War, the Philippine Insurrection, the World War, and their Wives and Widows.

Senate Bill No. 11, An act to Prevent the Desecration of Memorial Day.

To the Committee on Education,

Senate Bill No. 12, An act to Require the Teaching of the Constitution of the United States in the Public and Private Schools of the State of New Hampshire.

Senator Hurley introduced the following entitled bill, which was read a first and second time by its title, laid upon the table to be printed, and referred:

To the Committee on the Judiciary,

Senate Bill No. 13, An act to Create a Minimum Wage Commission and Prescribe its Powers and Duties.

Senator Branch introduced the following Senate Joint Resolution, which was read a first and second time, laid upon the table to be printed, and referred:

To the Committee on Military Affairs,

Senate Joint Resolution No. 4, Joint resolution in favor of Euclide and Marie Halde, Parents of Wilfred X. Halde, formerly Private, Battery "B" 172nd Field Artillery, New Hampshire National Guard: Killed September 23, 1922, at Concord, New Hampshire.

On motion of Senator Hodgdon the Senate adjourned.

## AFTERNOON.

## INTRODUCTION OF BILLS.

Senator Osgood introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed, and referred:

To the Committee on Revision of Laws,

Senate Bill No. 14, An act to amend Section 21 of Chapter 287 of the Public Statutes, as amended by Section 1 of Chapter 78, Laws of 1907, and Section 1 of Chapter 136, Laws of 1919, Relating to Pay of Jurors.

Senator Rice introduced the following entitled bills, which were read a first and second time, laid upon the table to be printed, and referred:

To the Committee on the Judiciary,

Senate Bill No. 15, An act to repeal Chapter 55, Laws of 1915 entitled, An act to Provide for Indemnifying a Holder of Worthless Check or Order.

Senate Bill No. 16, An act for the Punishment of Persons Issuing Worthless Checks.

On motion of Senator Ham the Senate adjourned.

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WEDNESDAY, JANUARY 24, 1923.

The Senate met according to adjournment.

## COMMITTEE REPORTS.

Senator Osgood, for the Committee on the Judiciary, to whom was referred Senate Bill No. 4, An act to provide for the division into Day and Night forces of permanent members of Fire Departments,

House Bill No. 7, An act to legalize the Biennial Election held on the seventh day of November, 1922, in the town of Newbury,

House Joint Resolution No. 7, Joint resolution in relation to a gift to the State of New Hampshire by Benjamin A. Kimball of his homestead premises in Concord for use as a Governor's mansion,

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at 2 o'clock.

On motion of Senator Burns the Senate adjourned.

#### AFTERNOON.

The following entitled bill and joint resolution were severally read a third time and passed.

House Bill No. 7, An act to Legalize the Biennial Election held on the seventh day of November, 1922, in the Town of Newbury.

House Joint Resolution No. 7, Joint resolution in relation to a Gift to the State of New Hampshire by Benjamin A. Kimball of his Homestead Premises in Concord for use as a Governor's Mansion.

The following entitled bill was read a third time, passed and sent to the House of Representatives for concurrence:

Senate Bill No. 4, An act to Provide for the Division into Day and Night Forces of Permanent Members of Fire Departments.

On motion of Senator Brown the Senate adjourned.

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#### THURSDAY, JANUARY 25, 1923.

The Senate met according to adjournment.

#### LEAVE OF ABSENCE.

Senator Ripley was granted leave of absence for the day on account of important business.

#### COMMITTEE REPORT.

Senator Osgood, for the Committee on the Judiciary, to whom was referred Senate Bill No. 8, An act in relation to Receptors for Property under Attachment, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

The Senate took a recess subject to the call of the Chair.

(Recess.)

The Senate, having reassembled, the following message was received from the House of Representatives by its clerk:

HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 150, An act in amendment of Section 13, Chapter 123, Laws of 1917, as amended by Section 1, Chapter 115, Laws of 1921, relating to the Governor's Staff.

READ AND REFERRED.

The following entitled bill sent up from the House of Representatives was read a first and second time, and referred:

To the Committee on Military Affairs,

House Bill No. 150 (New Draft), An act in amendment of Section 13, Chapter 123, Laws of 1917, as amended by Section 1, Chapter 115, Laws of 1921, relating to the Governor's Staff.

On motion of Senator Brown the Senate adjourned.

AFTERNOON

RECONSIDERATION OF VOTE.

On motion of Senator Brown, the Senate voted to reconsider the vote on Senate Bill No. 4, An act to provide for the division into Day and Night forces of permanent members of Fire Departments.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the above entitled bill passed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the foregoing entitled bill was ordered to a third reading.

On motion of the same Senator, the bill was recommitted to the committee on the Judiciary.

#### THIRD READINGS.

The following entitled bill was read a third time, passed and sent to the House of Representatives for concurrence:

Senate Bill No. 8, An act in relation to Receiptors for Property under Attachment.

#### INTRODUCTION OF COMMITTEE REPORTS.

On motion of Senator Branch, the rules were so far suspended as to allow the introduction of the following committee report:

Senator Branch for the Committee on Military Affairs, to whom was referred House Bill No. 150 in new draft, An act in amendment of Section 13, Chapter 123, Laws of 1917 as amended by Section 1, Chapter 115, Laws of 1921, relating to the Governor's Staff, having considered the same, reported the same without amendment and recommended its passage. The report was accepted and the bill ordered to a third reading next Tuesday, at 11 o'clock.

On motion of Senator Branch the rules were suspended and the bill read a third time and passed.

#### INTRODUCTION OF BILLS.

Senator Hurley, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed, and referred:

To the Committee on the Judiciary,

Senate Bill No. 17, An act referring to the Salary of the State Agent for the Blind.

On motion of Senator Swasey the following resolution was adopted:

*Resolved*, That when the Senate adjourns this afternoon, it adjourn to meet tomorrow morning at 9.00 o'clock, and when it adjourns Friday morning it be to meet Monday evening at 7.30 o'clock.

On motion of Senator Elder the Senate adjourned.

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FRIDAY, JANUARY 26, 1923.

The Senate met according to adjournment.

There being manifestly no quorum present, President Adams declared the Senate adjourned until Monday evening, at 7.30 o'clock.

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MONDAY, JANUARY 29, 1923.

The Senate met according to adjournment.

On motion of Senator Ripley the Senate adjourned.

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TUESDAY, JANUARY 30, 1923.

The Senate met according to adjournment.

COMMITTEE REPORTS.

Senator Ripley, for the Committee on Revision of Laws, to whom was referred Senate Joint Resolution, No. 3., Joint resolution authorizing the Finance Committee of the Governor's Council to investigate and report facts in regard to the administration of State Affairs by the several Departments and State Institutions, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

The following message was received from the House of Representatives by its clerk:



## HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 8, Joint resolution in favor of changing the name of the highway known as "West Side Road" to the "Dartmouth College Road".

## READ AND REFERRED.

The following joint resolution sent up from the House of Representatives was read a first and second time, and referred:

To the Committee on Public Improvement,

House Joint Resolution No. 8, Joint resolution in favor of changing the name of the highway known as "West Side Road" to the "Dartmouth College Road".

On motion of Senator Orr, the Senate voted that the rules be so far suspended that all business in order for two o'clock this afternoon be in order at the present time.

## THIRD READING.

Agreeably to the foregoing motion the following joint resolution was read a third time, passed and sent to the House of Representatives for concurrence:

Senate Joint Resolution No. 3, Joint resolution authorizing the Finance Committee of the Governor's Council to investigate and report facts in regard to the administration of State affairs by the several Departments and State Institutions.

On motion of Senator Ripley the following resolution was adopted:

*Whereas*, the Senate of New Hampshire has heard with genuine sorrow of the death of one of our members of the National Congress, the Honorable Sherman Everett Burroughs, Representative from the First District, and

*Whereas*, in his untimely death we realize the State has lost one of her most distinguished sons who has been

stricken down while in the service of his State, at a time when his commanding talents had won for him the respect and esteem of State and Nation; therefore, be it

*Resolved*, that the Clerk be instructed to send a copy of these resolutions to his family.

*Resolved*, that as a mark of esteem for Sherman Everett Burroughs, the Senate do now adjourn.

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WEDNESDAY, JANUARY 31, 1923.

The Senate met according to adjournment.

LEAVE OF ABSENCE.

Senator Swasey was granted leave of absence for the day on account of important business.

COMMITTEE REPORT.

The following report of the Committee on Engrossed Bills was read and accepted.

BILLS ENGROSSED.

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill and joint resolution:

House Bill No. 7, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Newbury.

House Joint Resolution No. 7, Joint resolution in relation to a gift to the State of New Hampshire by Benjamin A. Kimball of his homestead premises in Concord for use as a Governor's mansion.

On motion of Senator Tripp, the Senate adjourned.

AFTERNOON.

DEATH ANNOUNCEMENT.

Senator Hagerty made the following announcement:

Mr. President, It is my sad duty to announce to this body, the death this morning of my colleague, the Honorable

James Harvey Hunt, who has so ably represented in our body the Twelfth District.

On motion of Senator Hagerty the following resolution was adopted:

*Resolved*, That when the Senate adjourns today, it be out of respect to the memory of our beloved colleague.

On motion of Senator Orr the following resolution was adopted:

*Resolved*, That the President be authorized to appoint a committee to attend the funeral of the late Honorable James Harvey Hunt; and that the committee be authorized and instructed to procure a suitable floral tribute.

The sergeant-at-arms was instructed to obtain transportation for all Senators desiring to attend the funeral.

The President appointed Senators Orr, Hagerty, Tripp, Osgood and Elder as members of such committee.

On motion of Senator Brown the following resolution was adopted:

*Resolved*, That a committee of three be appointed by the chair to draft and report suitable resolutions on the death of our distinguished colleague, the Honorable James Harvey Hunt, of Nashua, representing District No. 12.

The President appointed Senators Abbott, Brown and Branch as members of such committee.

On motion of Senator Hurley the Senate adjourned.

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## THURSDAY, FEBRUARY 1, 1923.

The Senate met according to adjournment.

### LEAVE OF ABSENCE.

Senator Abbott was granted leave of absence for the day on account of important business.

### COMMITTEE REPORT.

The following report of the Committee on Engrossed Bills was read and accepted.

## BILL ENGROSSED.

Senator Osgood, for the Committee on Engrossed Bills, to whom was referred House Bill No. 150, in new draft, An act to amend Section 13, Chapter 123, Laws of 1917, as amended by Section 1, Chapter 115, Laws of 1921, relating to the Governor's Staff, having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and recommended its passage:

Insert in Section 1 after the word "guard" in the ninth line, the words "If said aides-de-camp are appointed other than from the national guard or reserve corps."

Insert in said section after the word "staff" in the sixteenth line the words "If said aides-de-camp are appointed other than from the national guard."

Strike out in said section the words "or reserve corps" in the twenty-seventh line.

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in Senate amendment.

The following message was received from the House of Representatives by its clerk:

## HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills and House Joint Resolutions in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 15, An act in amendment of Chapter 186 of the Public Statutes relating to Wills.

House Bill No. 20, An act to establish a new apportionment for the assessment of public taxes.

House Bill No. 23, An act regulating the practice of chaining wheels on hills.

House Bill No. 25, An act amending Section 2 of Chapter 189 of the Laws of 1917 relating to taxation of deposits in banks in other states.

House Bill No. 56, An act in amendment of Section 3, Chapter 29, Laws of 1893, as amended by Section 1, Chapter 67, Laws of 1897, Section 1, Chapter 14, Laws of 1913,

Section 1, Chapter 171, Laws of 1915, and Section 1, Chapter 49, Laws of 1917, relating to highway agents.

House Bill No. 59, An act to amend an act to establish a corporation by the name of the trustees of the New Hampshire Conference Seminary and the New Hampshire Female College, approved December 29, 1852, and other acts amending the same.

House Bill No. 82, An act in amendment of Section 5 of Chapter 46 of the Laws of 1897 relating to the license fee of itinerant vendors.

House Bill No. 91, An act to repeal Chapter 7 of the Session Laws of 1907, entitled "An act to amend Chapter 11 of the Session Laws of 1899 concerning Holidays."

House Bill No. 112, An act in amendment of Chapter 268 of the Laws of 1889, entitled "An act to incorporate the Woodsville Guaranty Savings Bank."

House Bill No. 285, An act to change the corporate name of the Exeter Cottage Hospital.

House Joint Resolution No. 28, Joint resolution recommending reconvening the Constitutional Convention and appropriating money therefor.

House Joint Resolution No. 10, Joint resolution in favor of William H. Knox and others.

#### READ AND REFERRED.

The following entitled bills sent up from the House of Representatives were severally read a first and second time, and referred:

To the Committee on the Judiciary,

House Bill No. 56, An act in amendment of Section 3, Chapter 29, Laws of 1893, as amended by Section 1, Chapter 67, Laws of 1897, Section 1, Chapter 14, Laws of 1913, Section 1, Chapter 171, Laws of 1915, and Section 1, Chapter 49, Laws of 1917, relating to Highway Agents.

House Bill No. 59, An act to amend an act to Establish a Corporation by the Name of the Trustees of the New Hampshire Conference Seminary and the New Hampshire Female College, approved December 29, 1852, and other acts amending the same.

House Bill No. 82, An act in amendment of Section 5, of Chapter 46, of the Laws of 1897, relating to the License Fee of Itinerant Vendors.

To the Committee on Revision of Laws:

House Bill No. 15, An act in amendment of Chapter 186, of the Public Statutes relating to Wills.

House Bill No. 91, An act to repeal Chapter 7, of the Session Laws of 1907, entitled An act to amend Chapter 11, of the Session Laws of 1899 concerning Holidays.

House Bill No. 285, An act to change the Corporate Name of the Exeter Cottage Hospital.

To the Committee on Roads, Bridges and Canals:

House Bill No. 23, An act regulating the Practice of Chaining Wheels on Hills.

To the Committee on Banks:

House Bill No. 25, An act amending Section 2 of Chapter 189, of the Laws of 1917, relating to Taxation of Deposits in Banks in other States.

House Bill No. 112, An act in amendment of Chapter 268 of the Laws of 1889, entitled An act to Incorporate the Woodsville Guaranty Savings Bank.

On motion of Senator Tripp the rules were so far suspended that the following entitled bill sent up from the House of Representatives was read a first and second time by title, and referred:

To the Committee on Finance:

House Bill No. 20, An act to Establish a New Apportionment for the Assessment of Public Taxes.

The following Joint resolutions sent up from the House of Representatives were severally read a first and second time, and referred:

To the Committee on Revision of Laws:

House Joint Resolution No. 28, Joint resolution recommending Reconvening the Constitutional Convention and Appropriating Money Therefor.

To the Committee on Finance:

House Joint Resolution No. 10, Joint resolution in favor of William H. Knox and others.

On motion of Senator Hodgdon, the Senate adjourned.

## AFTERNOON.

The following message was received from the House of Representatives by its Clerk:

## HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has voted to concur with the Honorable Senate in the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 150, in new draft, An act in amendment of Section 13, Chapter 123, Laws of 1917, as amended by Section 1, Chapter 115, Laws of 1921, relating to the Governor's Staff.

On motion of Senator Ham the following resolution was adopted:

*Resolved*, That when the Senate adjourns this afternoon, it adjourn to meet tomorrow morning at 9.00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7.30 o'clock.

On motion of Senator Lane the Senate adjourned.

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FRIDAY, FEBRUARY 2, 1923.

The Senate met according to adjournment.

Senator Orr having assumed the chair, read the following communication:

CONCORD, N. H., February 2, 1923.

SENATOR ORR:

Please preside for me at today's session of the New Hampshire Senate, and oblige.

WESLEY ADAMS,  
*President.*

There being manifestly no quorum present, Senator Orr declared the Senate adjourned.

MONDAY, FEBRUARY 5, 1923.

The Senate met according to adjournment.

Senator Ripley having assumed the chair, read the following communication:

CONCORD, N. H., February 5, 1923.

SENATOR RIPLEY:

Please preside for me at tonight's session of the New Hampshire Senate, and oblige.

WESLEY ADAMS,  
*President*

On motion of Senator Orr, the Senate adjourned.

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TUESDAY, FEBRUARY 6, 1923.

The Senate met according to adjournment.

The following report of the Committee on Engrossed Bills was read and accepted.

BILLS ENGROSSED.

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill:

House Bill No. 150, An act in amendment of Section 13, Chapter 123, Laws of 1917, as amended by Section 1, Chapter 115, Laws of 1921, relating to the Governor's Staff.

The following message was received from the House of Representatives by its clerk:

HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following Joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 43, Joint resolution relating to the valuation of railroads.

READ AND REFERRED.

The following joint resolution sent up from the House of Representatives was read a first and second time and referred:



To the Committee on the Judiciary.

House Joint Resolution No. 43, Joint resolution relating to the valuation of railroads.

On motion of Senator Abbott the following resolution was adopted:

*Resolved*, That we have heard with sorrow of the death of the Honorable Charles M. Floyd, former Governor of the State of New Hampshire, a zealous, patriotic citizen, always interested in New Hampshire affairs and at the time of his death, Chairman of its Tax Commission and Fuel Commissioner of the State. He literally died harnessed to numerous public and private duties. Knowing him as we did, we can well be assured that he would not have had it otherwise.

*Resolved*, That when the Senate adjourns today, it adjourn in respect to the memory of Ex-Governor Charles M. Floyd.

On motion of Senator Osgood the following resolution was adopted:

*Resolved*, That the President be authorized to appoint a committee to attend the funeral of the late Honorable Charles M. Floyd and that the committee be authorized and instructed to procure a suitable floral tribute.

The President appointed Senators Osgood, Branch, Hurley, Janelle, Brown and Jaquith as members of such committee.

#### RESOLUTION.

Senator Abbott for the special committee appointed to prepare resolutions on the death of Senator James Harvey Hunt presented the following:

That unwelcome but relentless messenger who bears one message for those chosen by the Most High for His Kingdom has invaded our Senate Chamber and borne from among us a fellow Senator who will never more answer to the call of the roll with us who are left, but who has left far behind him the troubles, the differences, the pleasures and the pains of our small political world.

On Wednesday, January thirty-first last, Hon. James H. Hunt, Senator from District No. 12, was with us, apparently well and strong and capable of fulfilling his duties with his usual care, ability and sense of justice, which was so characteristic of his whole life and active public service. Suddenly as the lightning's flash in the night, Death entering his home "laid his finger upon him and he slept."

James H. Hunt had attained to a fullness of years far beyond the average, having been born on November 25, 1841. A self-made man was he, and the man of character, courage, loyalty to country and to friends he turned out to be, was one of the finest type. His was a genial, true, just character, as shown by the positions of trust requiring firmness, commonsense and tact, which he held so long can best testify. Faithful to all the humble affairs of life he could not fail to be faithful in everything. What greater tribute can be paid to man?

*Resolved*, That in the passing of Senator Hunt, we Senators who remain behind have suffered a loss for which there can be no return and on account of which we are in deep sorrow: that even in the short time we have known him he endeared himself to us by the beauty of his life and the inspiration of his character; that the State has lost an able, just, and worthy counsellor and one whose place cannot be filled as he would have filled it.

*Resolved*, That we extend our heartfelt sympathy to his family in their sorrow over the loss we have all sustained; that his desk in our Chamber be draped for thirty days in his memory; that these resolutions be spread upon the journal of the Senate and a copy sent to his family.

SEWALL W. ABBOTT,  
FREDERICK W. BRANCH,  
ORA A. BROWN,

*Committee.*

On a rising vote the resolution was unanimously adopted.  
On motion of Senator Ham the Senate adjourned.

## WEDNESDAY, FEBRUARY 7, 1923.

The Senate met according to adjournment.

## COMMITTEE REPORTS.

Senate Coulombe, for the Committee on Revision of Laws, to whom was referred Senate Bill No. 10, An act in amendment of Chapter 56, of the Public Statutes as amended by Chapter 12, of the Laws of 1921, relating to the Exemption from Taxation of Veterans of the War of the Rebellion, the Spanish-American War, the Philippine Insurrection, the World War, and their Wives and Widows.

Senate Bill No. 11, An act to Prevent the Desecration of Memorial Day.

Senate Bill No. 14, An act to amend Section 21, of Chapter 287, of the Public Statutes, as amended by Section 1, of Chapter 78, Laws of 1907, and Section 1, of Chapter 136, Laws of 1919, relating to Pay of Jurors.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at two o'clock.

Senator Coulombe, for the Committee on Revision of Laws, to whom was referred Senate Bill No. 5, An act relating to the Fees of Sheriffs and Deputy Sheriffs, having considered the same, reported the same with the following amendment and recommended its passage:

Amend said bill by changing the word "seven" wherever it appears in said bill to "five" and by inserting after the word "for" in line 25, the following: "each day's actual attendance at" and by striking out in said 25th line, the word "attending" so that said line after its amendment shall read as follows: "for each day's actual attendance at the Supreme or Superior Court by order thereof."

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Coulombe, for the Committee on Revision of Laws, to whom was referred Senate Bill No. 1, An act to

provide a New Charter for the City of Berlin, having considered the same, reported the same with the following amendment and recommended its passage:

Amend said bill by striking out Section 58, and substituting therefore the following:

SECT. 58. This act shall take effect on the first day of March 1923, provided the city shall, before that date, have adopted the same at a legal meeting called for that purpose.

If at any meeting this act shall fail of adoption, it may at the expiration of three months from such meeting and prior to January 1, 1925, be again submitted for adoption.

It shall be the duty of the City Council to call a meeting of the City to act on said question of adoption, in accordance with the foregoing provisions, upon the petition of ten or more voters of said City.

The report was accepted.

On motion of Senator Abbott, the bill was laid upon the table and made a special order for Tuesday, February 14th, at 2.01 P. M.

Senator Coulombe, for the Committee on Revision of Laws, to whom was referred House Joint Resolution No. 28, Joint resolution recommending Reconvening the Constitutional Convention and Appropriating Money therefor, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the joint resolution referred to the Committee on Finance under the Rules.

#### INTRODUCTION OF NEW BILL BY COMMITTEE.

The Committee on the Revision of Laws having considered the subject matter, reported the following entitled new bill and recommended its passage.

Senate Bill No. 19, An act repealing the Direct Primary and Establishing a Caucus and Convention Law.

On motion of Senator Ripley, under a suspension of the rules, the above entitled bill was read a first and second time by title and laid upon the table to be printed.

The following message was received from the House of Representatives by its clerk:

HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 11, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Brookline.

House Bill No. 13, An act to legalize the votes and proceedings of the town of Hopkinton at the biennial election held on the seventh day of November, 1922.

House Bill No. 55, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Amherst.

House Bill No. 63, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Marlow.

House Bill No. 77, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Warren.

House Bill No. 92, An act legalizing the biennial election held in the town of Chesterfield on the seventh day of November, 1922.

The message also announced that the House of Representatives had passed the following entitled bill, with amendment, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 97, An act to amend Chapter 227, Laws of 1917, regulating the grading, packing, shipping and sale of apples.

The message further announced that the House of Representatives had passed the following resolution:

*Resolved*, That House Bill No. 91, An act to repeal Chapter 7, of the Session Laws of 1907, entitled, "An act to amend Chapter 11, of the Session Laws of 1899, concerning holidays, be recalled from the Honorable Senate.

## READ AND REFERRED.

The following entitled bills sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on the Judiciary:

House Bill No. 11, An act to legalize the biennial election held on the seventh of November, 1922, in the town of Brookline.

To the Committee on Agriculture:

House Bill No. 97, An act to amend Chapter 227, Laws of 1917, regulating the grading, packing, shipping and sale of apples.

On motion of Senator Branch, the rules were so far suspended that the following entitled bills sent up from the House of Representatives were severally read a first and second time by title and referred:

To the Committee on the Judiciary:

House Bill No. 13, An act to legalize the votes and proceedings of the town of Hopkinton at the biennial election held on the seventh day of November, 1922.

House Bill No. 55, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Amherst.

House Bill No. 63, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Marlow.

House Bill No. 77, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Warren.

House Bill No. 92, An act legalizing the biennial election held in the town of Chesterfield on the seventh day of November, 1922.

## INTRODUCTION OF BILLS.

Senator Ham, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred:

To the Committee on the Judiciary:

Senate Bill No. 18, An act to change the name of Nelson Aldrich Edgell to that of Stephen Maurice Edgell.

The Senate took a recess subject to the call of the chair.

(Recess.)

The Senate re-assembled.

#### INTRODUCTION OF A COMMITTEE REPORT.

On motion of Senator Brown the rules were so far suspended as to allow the introduction of the following committee report:

Senator Brown, for the Committee on Finance to whom was referred House Joint Resolution No. 28, Joint resolution recommending reconvening the Constitutional Convention and appropriating money therefor, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the joint resolution ordered to a third reading this afternoon at 2 o'clock.

On motion of Senator Tripp the rules were so far suspended that the above resolution was put upon its third reading and final passage at the present time.

The question being stated: Shall the bill pass?

(Discussion ensued.)

Senator Hagerty demanded the yeas and nays.

The clerk proceeded to call the roll.

The following named Senators voted in the affirmative:

Senators Coulombe, Burns, Brown, Hammond, Jaquith, Lufkin, Holmes, Rice, Hagerty, Tripp, Orr, Branch, Hurley, Janelle, Ham, Elder, Hodgdon.

The following named Senators voted in the negative:

Senators Ripley, Abbott, Lane, Osgood, Swasey.

Seventeen Senators having voted in the affirmative and five Senators having voted in the negative, the bill passed.

On motion of Senator Ripley, the following resolution was adopted:

## RESOLUTION.

*That whereas:* The House of Representatives in General Court convened has passed a resolution expressing the opinion that the existing Constitutional Convention be reconvened, and

*Whereas,* The Senate and House of Representatives in General Court convened has passed a joint resolution recommending reconvening of the Constitutional Convention and appropriating money therefor.

*Therefore be it resolved:* That it is the opinion of the Senate and that the best interest of the State would be served if the Constitutional Convention when reconvened should submit to the people for their ratification a general amendment that will authorize the legislature to levy a graduated inheritance tax and to levy a tax on the income of intangibles and upon the sale of gasoline.

On motion of Senator Hodgdon, the Senate adjourned.

## AFTERNOON.

On motion of Senator Ripley the following entitled bill was recommitted to the Committee on the Revision of Laws:

Senate Bill No. 14, An act to amend Section 21 of Chapter 287 of the Public Statutes, as amended by Section 1 of Chapter 78, Laws of 1907 and Section 1 of Chapter 136, Laws of 1919, relating to pay of jurors.

## THIRD READINGS.

The following entitled bills were severally read a third time, passed and sent to the House of Representatives for concurrence:

Senate Bill No. 5, An act relating to the fees of Sheriffs and Deputy Sheriffs.

Senate Bill No. 10, An act in amendment of Chapter 56 of the Public Statutes as amended by Chapter 12 of the Laws of 1921, relating to the exemption from taxation of Veterans of the War of the Rebellion, the Spanish-American



War, the Philippine Insurrection, the World War, and their wives and widows.

Senate Bill No. 11, An act to prevent the desecration of Memorial Day.

On motion of Senator Coulombe, the Senate adjourned.

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THURSDAY, FEBRUARY 8, 1923.

The Senate met according to adjournment.

LEAVES OF ABSENCE.

Senator Burns was granted leave of absence for the day in order to attend a funeral.

Senator Hagerty was granted leave of absence for the day on account of important business.

COMMITTEE REPORTS.

Senator Coulombe for the Committee on Revision of Laws, to whom was referred:

House Bill No. 15, An act in amendment of Chapter 186 of the Public Statutes, relating to Wills.

House Bill No. 285, An act to change the corporate name of the Exeter Cottage Hospital.

Having considered the same reported the same without amendment and recommended their passage.

Senator Osgood for the Committee on the Judiciary, to whom was referred:

Senate Bill No. 17, An act referring to the Salary of the State Agent for the Blind.

Having considered the same reported the same without amendment and recommended its passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at 2 o'clock.

The following report of the Committee on Engrossed Bills was read and accepted.

BILLS ENGROSSED.

The Committee on Engrossed Bills have examined and found correctly engrossed the following joint resolution:

House Joint Resolution No. 28, Joint resolution recommending reconvening the constitutional convention and appropriating money therefor.

The following message was received from the House of Representatives by its clerk:

HOUSE MESSAGE.

MR. PRESIDENT:

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 101, An act in amendment of Section 55, Chapter 133, Laws of 1915, as amended by Section 20, Chapter 184, Laws of 1917, and Chapter 146, Laws of 1919, and Chapter 93, Laws of 1921, to regulate the issuing of hunting licenses.

House Bill No. 287, An act to amend the charter of Keene Academy.

House Bill No. 291, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Effingham.

READ AND REFERRED.

The following entitled bills sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Fisheries and Game,

House Bill No. 101, An act in amendment of Section 55, Chapter 133, Laws of 1915, as amended by Section 20, Chapter 184, Laws of 1917, and chapter 146, Laws of 1919, and Chapter 93, Laws of 1921, to regulate the issuing of hunting licenses.

To the Committee on Revision of Laws,

House Bill No. 287, An act to amend the charter of Keene Academy.

To the Committee on the Judiciary,

House Bill No. 291, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Effingham.

## FORWARDING OF BILLS.

The following entitled bill having been printed was taken from the table and on motion of Senator Ripley, the bill was made a Special Order for Wednesday, February 14, at 11.01 A. M.

Senate Bill No. 19, An act repealing the Direct Primary and establishing a Caucus and Convention Law.

## INTRODUCTION OF COMMITTEE REPORT.

On motion of Senator Brown the rules were so far suspended as to allow the introduction of the following committee report:

Senator Brown for the Committee on Finance, to whom was referred House Joint Resolution No. 10, Joint resolution in favor of William H. Knox and others, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the joint resolution was ordered to a third reading this afternoon at 2 o'clock.

On motion of Senator Hurley, the Senate adjourned.

## AFTERNOON.

## THIRD READINGS.

The following entitled bill was read a third time, passed, and sent to the House of Representatives for concurrence:

Senate Bill No. 17, An act referring to the salary of the state agent for the blind.

On motion of Senator Coulombe, the rules were suspended and the following joint resolution read a third time by its caption and passed:

House Joint Resolution No. 10, Joint resolution in favor of William H. Knox and others.

On motion of the same Senator, the rules were suspended and the following entitled bills were severally read a third time by title and passed:

House Bill No. 15, An act in amendment of Chapter 186 of the Public Statutes relating to wills.

House Bill No. 285, An act to change the corporate name of the Exeter Cottage Hospital.

On motion of Senator Hodgdon the following resolution was adopted:

*Resolved*, That when the Senate adjourns today, it adjourn to meet tomorrow evening at 8.30 o'clock, and when it adjourns Friday evening, it be to meet Monday evening at 7.30 o'clock.

On motion of Senator Orr the Senate adjourned.

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FRIDAY, FEBRUARY 9, 1923.

The Senate met according to adjournment.

Senator Lufkin having assumed the chair, read the following communication:

CONCORD, N. H., February 9, 1923.

*Senator Lufkin:*

Please preside for me at to-night's session of the New Hampshire Senate, and oblige,

WESLEY ADAMS,  
*President.*

On motion of Senator Holmes the Senate adjourned.

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MONDAY, FEBRUARY 12, 1923.

The Senate met according to adjournment.

On motion of Senator Lufkin the Senate adjourned.

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TUESDAY, FEBRUARY 13, 1923.

The Senate met according to adjournment.

The President appointed Senator Lufkin to the Committee on the Judiciary.

COMMITTEE REPORTS.

Senator Osgood, for the Committee on the Judiciary, to whom was referred:

House Bill No. 11, An act to legalize the biennial election held on the seventh of November, 1922, in the Town of Brookline.

House Bill No. 13, An act to legalize the votes and proceedings of the Town of Hopkinton at the Biennial Election held on the seventh day of November, 1922.

House Bill No. 55, An act to legalize the Biennial Election held on the seventh day of November, 1922, in the Town of Amherst.

House Bill No. 59, An act to amend an act to Establish a Corporation by the name of the Trustees of the New Hampshire Conference Seminary and the New Hampshire Female College, approved December 29, 1852, and other acts amending the same.

House Bill No. 63, An act to legalize the Biennial Election held on the seventh day of November, 1922, in the Town of Marlow.

House Bill No. 77, An act to legalize the Biennial Election held on the seventh day of November, 1922, in the Town of Warren.

House Bill No. 92, An act legalizing the Biennial Election held in the Town of Chesterfield November seventh, 1922,

Having considered the same reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at 2 o'clock.

Senator Osgood, for the Committee on the Judiciary, to whom was referred:

House Joint Resolution No. 43, Joint resolution relating to the valuation of railroads.

Having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the Joint resolution ordered to a third reading this afternoon at 2 o'clock.

Senator Osgood, for the Committee on the Judiciary, to whom was referred:

Senate Bill No. 15, An act to repeal Chapter 55, Laws of 1915 entitled, An act to Provide for Indemnifying a Holder of Worthless Check or Order.

Having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The following message was received from the House of Representatives by its clerk:

HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 12, An act relating to the issue of bonds by the School District of the town of Hampton.

House Bill No. 16, An act authorizing the Rockingham County Light & Power Company to issue Preferred Stock and for other purposes.

House Bill No. 36, An act in amendment of Section 40, of the Business Corporation Law.

House Bill No. 37, An act in amendment of Section 1, of the Business Corporation Law.

House Bill No. 54 in new draft, An act in amendment of Section 10, Chapter 152, of the Public Statutes, relating to Religious Societies.

House Bill No. 60, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Langdon.

House Bill No. 98, An act to legalize certain acts of the town of Littleton, and to authorize the issue of town bonds.

House Bill No. 288, An act in amendment of Chapter 133, Laws of 1915, as amended by Laws of 1917, 1919, and 1921, in relation to Migratory Birds.

House Bill No. 289, An act in amendment of Chapter 93, Laws of 1921, in relation to the issuance of Hunting Licenses.

READ AND REFERRED.

The following entitled bills sent up from the House of Representatives were severally read a first and second time, and referred:

To the Committee on the Judiciary:

House Bill No. 12, An act relating to the issue of bonds by the School District of the Town of Hampton.

To the Committee on Revision of Laws,

House Bill No. 16, An act authorizing the Rockingham County Light & Power Company to Issue Preferred Stock and for other purposes.

On motion of Senator Branch the rules were so far suspended that the following entitled bills sent up from the House of Representatives were severally read a first and second time by title and referred:

To the Committee on the Judiciary:

House Bill No. 36, An act in amendment of Section 40, of the Business Corporation Law.

House Bill No. 37, An act in amendment of Section 1, of the Business Corporation Law.

House Bill No. 60, An act to legalize the biennial election held on the seventh day of November, 1922, in the Town of Langdon.

To the Committee on Revision of Laws:

House Bill No. 54, An act in amendment of Section 10, Chapter 152, of the Public Statutes relating to Religious Societies.

House Bill No. 98, An act to legalize certain acts of the town of Littleton and to authorize the issue of town bonds.

To the Committee on Fisheries and Game,

House Bill No. 288, An act in amendment of Chapter 133, Laws of 1915, as Amended by Laws of 1917, 1919 and 1921, in Relation to Migratory Birds.

House Bill No. 289, An act in amendment of Chapter 93, Laws of 1921, in relation to the issuance of Hunting Licenses.

On motion of Senator Janelle the Senate adjourned.

## AFTERNOON.

### THIRD READINGS.

On motion of Senator Orr, the rules were so far suspended that the following entitled bills were severally read a third time by title and passed:

House Bill No. 11, An act to legalize the biennial election held on the seventh day of November, 1922, in the Town of Brookline.

House Bill No. 13, An act to legalize the votes and proceedings of the Town of Hopkinton at the biennial election held November 7, 1922.

House Bill No. 55, An act to legalize the biennial election held on the seventh day of November, 1922, in the Town of Amherst.

House Bill No. 59, An act to amend an act to establish a corporation by the name of the Trustees of the New Hampshire Conference Seminary and the New Hampshire Female College, approved December 29, 1852, and other acts amending the same.

House Bill No. 63, An act to legalize the biennial election held on the seventh day of November, 1922, in the Town of Marlow.

House Bill No. 77, An act to legalize the biennial election held on the seventh day of November, 1922, in the Town of Warren.

House Bill No. 92, An act legalizing the biennial election held in the Town of Chesterfield November Seventh, 1922.

The following House Joint resolution was read a third time and passed:

House Joint Resolution No. 43, Joint resolution relating to the Valuation of Railroads.

On motion of Senator Rice, the Senate adjourned.

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WEDNESDAY, FEBRUARY 14, 1923.

The Senate met according to adjournment.

#### COMMITTEE REPORTS.

Senator Osgood for the Committee on the Judiciary to whom was referred:

House Bill No. 291, An act to legalize the biennial election held on the seventh day of November, 1922, in the



Town of Effingham, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

The following message was received from the House of Representatives by its clerk:

#### HOUSE MESSAGE.

*Mr. President;*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 38, An act to authorize licensing Public Utilities to exercise rights on Public Lands.

House Bill No. 39, An act relating to the issue of bonds by the Union School District No. 2, of the Town of Bristol.

House Bill No. 44, An act to authorize the discontinuance of State Highways.

House Bill No. 62, An act to amend the charter of the Nashua Protestant Home for aged women.

House Bill No. 67, An act in amendment of Sub-division XIII, Section 10, Chapter 50, of the Public Statutes, relating to powers of City Councils.

House Bill No. 69, An act to enable the Town of Newport, New Hampshire, to refund its indebtedness.

House Bill No. 81, An act authorizing the Town of Rumney to raise money by taxation for the care of cemeteries.

House Bill No. 84, An act authorizing the Town of Claremont to renew and extend its water bonds.

House Bill No. 110, An act in amendment of Chapter 148 of the Laws of 1915, entitled: An act relating to actions for personal injuries.

House Bill No. 175, An act relating to the purchase of Legislative supplies.

#### READ AND REFERRED.

The following entitled bills sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on the Judiciary:

House Bill No. 39, An act relating to the issue of bonds by the Union School District No. 2, of the Town of Bristol.

House Bill No. 62, An act to amend the Charter of the Nashua Protestant Home for Aged Women.

House Bill No. 69, An act to enable the Town of Newport, New Hampshire, to refund its indebtedness.

House Bill No. 84, An act authorizing the Town of Claremont to renew and extend its water bonds.

House Bill No. 110, An act in amendment of Chapter 148 of the Laws of 1915, entitled: An Act relating to actions for personal injuries.

House Bill No. 175, An act relating to the purchase of Legislative Supplies.

To the Committee on Revision of Laws:

House Bill No. 38, An act to authorize licensing public utilities to exercise rights on public lands.

House Bill No. 44, An act to authorize the discontinuance of State Highways.

House Bill No. 81, An act authorizing the town of Rumney to raise money by taxation for the care of cemeteries.

To the Committee on Public Health:

House Bill No. 67, An act in amendment of Sub-division XIII, Section 10, Chapter 50 of the Public Statutes, relating to Powers of City Councils.

#### SPECIAL ORDER.

Senator Ripley called for the special order, it being Senate Bill No. 19, An act Repealing the Direct Primary and Establishing a Caucus and Convention Law.

The question being stated: Shall the bill be ordered to a third reading?

On a *viva voce* vote the President was in doubt and called for a division.

Eleven Senators having voted in the affirmative and ten Senators having voted in the negative, the affirmative prevailed and the bill was ordered to a third reading this afternoon at two o'clock.

On motion of Senator Hodgdon, the Senate adjourned.

## AFTERNOON.

## THIRD READINGS.

The following entitled bill was read a third time and passed:

House Bill No. 291, An act to legalize the biennial election held on the seventh day of November, 1922, in the Town of Effingham.

On motion of Senator Coulombe the rules were so far suspended as to allow the third reading of the following entitled bill by its title:

Senate Bill No. 19, An act repealing the direct primary and establishing a caucus and convention law.

The question being stated: Shall the bill pass?

(Discussion ensued.)

On a *viva voce* vote the President was in doubt and called for a division.

Twelve Senators having voted in the affirmative and ten Senators having voted in the negative, the affirmative prevailed, the bill passed and was sent to the House of Representatives for concurrence.

## SPECIAL ORDER.

Senator Coulombe called for the Special Order, it being Senate Bill No. 1, An act to provide for a new Charter for the City of Berlin.

On motion of the same Senator, the following amendment was offered:

Amend the bill by striking out the whole of Section 58 and inserting in place thereof the following:

SECT. 58. This act shall take effect, if adopted by the City, at the next March meeting; and it shall be the duty of the City Clerk to see that the question of adoption of this Charter shall be printed upon the ballots to be used at this election.

The amendment was adopted and the bill ordered to a third reading to-morrow at 11 A. M.

On motion of Senator Coulombe the rules were suspended and the bill ordered to a third reading at the present time.

On motion of Senator Janelle the rules were so far suspended as to allow the third reading of the above bill by title.

The question being stated: Shall the bill pass?

(Discussion ensued.)

On a *viva voce* vote the President was in doubt and called for a division.

Thirteen Senators having voted in the negative and eight Senators having voted in the affirmative the negative prevailed and the bill did not pass.

On motion of Senator Hammond the Senate adjourned.

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#### THURSDAY, FEBRUARY 15, 1923.

The Senate met according to adjournment.

#### COMMITTEE REPORTS.

Senator Osgood, for the Committee on the Judiciary, to whom was referred Senate Bill No. 7, An act in relation to the foreclosure of Power of Sale Mortgages of Real Estate.

House Bill No. 12, An act relating to the issue of bonds by the School District of the Town of Hampton.

House Bill No. 56, An act in amendment of Section 3, Chapter 29, Laws of 1893, as amended by Section 1, Chapter 67, Laws of 1897, Section 1, Chapter 14, Laws of 1913, Section 1, Chapter 171, Laws of 1915, and Section 1, Chapter 49, Laws of 1917, relating to Highway Agents.

House Bill No. 60, An act to legalize the Biennial Election held on the seventh day of November, 1922, in the Town of Langdon.

House Bill No. 82, An act in amendment of Section 5 of Chapter 46 of the Laws of 1897, relating to the license fee of itinerant vendors.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at two o'clock.

The following message was received from the House of Representatives by its clerk:

## HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 1, An act in amendment of Section 1 of Chapter 156 of the Laws of 1913, as amended by Section 1 of Chapter 196 of the Laws of 1917.

House Bill No. 21, An act concerning the transfer of bodies from one town to another.

## READ AND REFERRED.

The following bills sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Labor:

House Bill No. 1, An act in amendment of Section 1 of Chapter 156 of the Laws of 1913, as amended by Section 1 of Chapter 196 of the Laws of 1917.

To the Committee on Public Health:

House Bill No. 21, An act concerning the transfer of bodies from one town to another.

On motion of Senator Abbott, the rules were suspended and all business in order for two o'clock was made in order at the present time.

Agreeably to the foregoing motion the following entitled bills were severally read a third time and passed:

## THIRD READINGS.

House Bill No. 12, An act relating to the issue of bonds by the School District of the Town of Hampton.

House Bill No. 60, An act to legalize the biennial election held on the seventh day of November, 1922, in the Town of Langdon.

On motion of Senator Coulombe, the rules were so far suspended that the following entitled bills were read a third time by title, and passed:

House Bill No. 56, An act in amendment of Section 3, Chapter 29, Laws of 1893, as amended by Section 1, Chapter 67, Laws of 1897, Section 1, Chapter 14, Laws of 1913, Section 1, Chapter 171, Laws of 1915, and Section 1, Chapter 49, Laws of 1917, relating to highway agents.

House Bill No. 82, An act in amendment of Section 5 of Chapter 46 of the Laws of 1897, relating to the license fee of itinerant vendors.

The following entitled bill was read a third time, passed, and sent to the House of Representatives for concurrence:

Senate Bill No. 7, An act in relation to the foreclosure of power of sale mortgages of real estate.

Senator Branch offered the following motion, that House Bill No. 1, An act in amendment of Section 1 of Chapter 156 of Laws of 1913, as amended by Section 1 of Chapter 196 of the Laws of 1917, be recalled from the Committee on Labor and made a special order for Wednesday, February 21st, at 11.01 A. M.

The question being stated: Shall the motion prevail?

(Discussion ensued.)

On a *viva voce* vote the President was in doubt and called for a division.

Seven Senators having voted in the affirmative and nine Senators having voted in the negative, the negative prevailed, and the motion was lost.

Senator Osgood demanded the yeas and nays.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Coulombe, Orr, Branch, Osgood, Hurley, Janelle, Ham.

The following named Senators voted in the negative: Senators Burns, Abbott, Brown, Jaquith, Lufkin, Rice, Tripp, Elder, Swasey, Hodgdon.

Seven Senators having voted in the affirmative and ten

Senators having voted in the negative, the negative prevailed, and the motion was declared lost.

Senator Hurley offered the following motion, that House Bill No. 1, An act in amendment of Section 1 of Chapter 156 of Laws of 1913, as amended by Section 1 of Chapter 196 of the Laws of 1917, be recalled from the Committee on Labor and made a Special Order for Wednesday, February 28, at 11.01 A. M.

The question being stated: Shall the motion prevail?

(Discussion ensued.)

On a *viva voce* vote the motion was declared lost.

Senator Coulombe offered the following resolution:

*Resolved*, That it is the sense of the Senate that House Bill No. 1 should be brought to a speedy decision in the Senate, and that the Labor Committee is hereby instructed to bring back this bill for Senate consideration without unnecessary delay.

On a *viva voce* vote the resolution was adopted.

Senator Osgood demanded the yeas and nays.

The clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Coulombe, Abbott, Brown, Jacquith, Lufkin, Rice, Tripp, Orr, Branch, Osgood, Hurley, Janelle, Ham.

The following named Senators voted in the negative: Senators Burns, Elder, Swasey, Hodgdon.

Thirteen Senators having voted in the affirmative and four Senators having voted in the negative, the affirmative prevailed and the resolution was adopted.

Senator Coulombe offered the following motion, that House Bill No. 1, An act in amendment of Section 1 of Chapter 156 of Laws of 1913, as amended by Section 1 of Chapter 196 of the Laws of 1917, be recalled from the Committee on Labor and referred to the Committee on the Judiciary.

The question being stated: Shall the motion prevail?

(Discussion ensued.)

On a *viva voce* vote the motion was declared lost.

Senator Orr offered the following resolution:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet to-morrow morning at 9.00 o'clock, and when it adjourns Friday morning, it be to meet Monday evening at 7.30 o'clock.

On motion of Senator Elder the Senate adjourned.

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FRIDAY, FEBRUARY 16, 1923.

The Senate met according to adjournment.

On motion of Senator Lufkin the Senate adjourned.

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MONDAY, FEBRUARY 19, 1923.

The Senate met according to adjournment.

Senator Orr having assumed the Chair read the following communication.

CONCORD, N. H., February 19, 1923.

*Senator Orr:*

Please preside for me at to-night's session of the New Hampshire Senate, and oblige.

WESLEY ADAMS,  
*President.*

On motion of Senator Ripley the Senate adjourned.

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TUESDAY, FEBRUARY 20, 1923.

The Senate met according to adjournment.

LEAVE OF ABSENCE.

Senator Lane was granted leave of absence for the day on account of sickness.

COMMITTEE REPORTS.

Senator Ham, for the Committee on Public Improvements, to whom was referred:

House Joint Resolution No. 8, Joint resolution in favor



of changing the name of the highway known as "West Side Road" to the "Dartmouth College Road", having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the joint resolution ordered to a third reading this afternoon at 2 o'clock.

Senator Brown, for the Committee on Finance, to whom was referred:

House Bill No. 20, An act to establish a new apportionment for the assessment of public taxes, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

#### MAJORITY AND MINORITY REPORTS.

Senator Osgood, for a majority of the Committee on the Judiciary, to whom was referred:

Senate Bill No. 2, An act in amendment of Section 12, Chapter 266 of the Public Statutes as amended by Chapter 211, Section 1 of the Session Laws of 1913, relating to trespass and malicious injuries, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Senator Ripley, for a minority of the Committee on the Judiciary, to whom was referred:

Senate Bill No. 2, An act in amendment of Section 12, Chapter 266 of the Public Statutes as amended by Chapter 211, Section 1 of the Session Laws of 1913, relating to trespass and malicious injuries, having considered the same reported the same without amendment and recommended its passage.

Senator Ripley moved that the report of the minority be substituted for that of the majority and with that motion pending, that the bill be laid upon the table and made a Special Order for Wednesday morning, February 21, at 11.01 o'clock.

The following message was received from the House of Representatives by its clerk:

HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 66 (In New Draft), An act relating to trespasses upon improved land.

House Bill No. 227, An act authorizing the Lancaster Fire Precinct to pay certain moneys to Union School District No. 1, in the Town of Lancaster.

House Bill No. 236, An act to create a state pier commission.

House Bill No. 286, An act to exempt from taxation property in Sutton held for public use by the North Sutton Improvement Society.

House Bill No. 292, An act to amend the charter of the Gordon-Nash Library in New Hampton.

READ AND REFERRED.

The following entitled bills sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Judiciary:

House Bill No. 227, An act authorizing the Lancaster Fire Precinct to pay certain moneys to Union School District No. 1, in the Town of Lancaster.

House Bill No. 292, An act to amend the charter of the Gordon-Nash Library in New Hampton.

To the Committee on Revision of Laws:

House Bill No. 286, An act to exempt from taxation property in Sutton held for public use by the North Sutton Improvement Society.

To the Committee on Public Improvements:

House Bill No. 236, An act to create a state pier commission.

To the Committee on Agriculture:

House Bill No. 66 (In New Draft), An act relating to trespasses upon improved land.

On motion of Senator Coulombe, the Senate adjourned.

### AFTERNOON.

#### THIRD READINGS.

The following entitled Joint resolution was read a third time and passed:

House Joint Resolution No. 8, Joint resolution in favor of changing the name of the highway known as "West Side Road" to the "Dartmouth College Road."

On motion of Senator Osgood the rules were suspended and the following entitled bill was read a third time by title and passed:

House Bill No. 20, An act to establish a new apportionment for the assessment of public taxes.

#### INTRODUCTION OF A BILL.

Senator Hurley under a suspension of the rules, sixteen senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred:

To the Committee on Revision of Laws:

Senate Bill No. 20, An act to provide for increase of salary for Sheriff of Hillsborough County.

Senator Branch offered the following motion:

That House Bill No. 1, entitled: An act in amendment of Section 1 of Chapter 156, of Laws of 1913, as amended by Section 1 of Chapter 196, of Laws of 1917, be recalled from the Committee on Labor and made a Special Order for Wednesday, February 28, at 11.02 o'clock.

The question being stated: Shall the motion prevail?

(Discussion ensued.)

Senator Branch withdrew his motion to recall the above entitled bill.

## INTRODUCTION OF COMMITTEE BILL.

The Committee on Revision of Laws having considered the subject matter, reported the following entitled new bill and recommended its passage:

Senate Bill No. 21, An act to provide for a new charter for the City of Berlin.

The report was accepted.

On motion of Senator Coulombe the rules were suspended and the bill read a first and second time by title.

On motion of the same Senator, the rules were further suspended, printing of the bill dispensed with and the bill read a third time by title, passed and sent to the House of Representatives for concurrence.

On motion of Senator Hurley, the Senate adjourned.

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WEDNESDAY, FEBRUARY 21, 1923.

The Senate met according to adjournment.

## COMMITTEE REPORTS.

Senator Coulombe, for the Committee on Revision of Laws, to whom was referred:

House Bill No. 16, An act authorizing the Rockingham County Light and Power Company to issue Preferred Stock and for other purposes.

House Bill No. 38, An act to authorize licensing public utilities to exercise rights on public lands.

House Bill No. 44, An act to authorize the discontinuance of State Highways.

House Bill No. 81, An act authorizing the Town of Rumney to raise money by taxation for the care of cemeteries.

House Bill No. 98 (New Draft and New Title), An act to legalize certain acts of the Town of Littleton and to authorize the issue of town bonds.

House Bill No. 286, An act to exempt from taxation property in Sutton held for public use by the North Sutton Improvement Society.

House Bill No. 287, An act to amend the Charter of Keene Academy.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at two o'clock.

Senator Coulombe, for the Committee on Revision of Laws, to whom was referred:

Senate Bill No. 14, An act to amend Section 21 of Chapter 287 of the Public Statutes, as amended by Section 1 of Chapter 78, Laws of 1907, and Section 1, of Chapter 136, Laws of 1919, relating to pay of jurors, having considered the same, reported the same in new draft, with the recommendation that this bill in its new draft ought to pass.

The report was accepted and the bill in its new draft was read a first and second time, and laid upon the table to be printed under the rules.

Senator Elder, for the Committee on Fisheries and Game, to whom was referred:

House Bill No. 101, An act in amendment of Section 55, Chapter 133, Laws of 1915, as amended by Section 20, Chapter 184, Laws of 1917 and Chapter 146, Laws of 1919, and Chapter 93, Laws of 1921, to regulate the issuing of hunting licenses.

House Bill No. 288, An act in amendment of Chapter 133, Laws of 1915, as amended by Laws of 1917, 1919 and 1921, in relation to migratory birds.

House Bill No. 289, An act in amendment of Chapter 93, Laws of 1921, in relation to the issuance of hunting licenses.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at two o'clock.

The Committee on Banks, to whom was referred:

House Bill No. 25, An act amending Section 2, Chapter 189 of the Laws of 1917, relating to taxation of deposits in banks in other states, having considered the same reported

the same with the following amendment and recommended its passage.

Amend Section 1, by striking out the word Banks in lines 4 and 7, and inserting in place thereof the words Trust Companies, so that said section as amended shall read as follows:

SECTION 1. Amend Section 2 of Chapter 189 of the Laws of 1917, by striking out the whole of said section and substituting therefor the following: SECT. 2. If any State exempts deposits in Savings Banks or in Savings Departments of Trust Companies in this State, including interest thereon, to owners residing in that State, the provisions of this act shall not apply to deposits in Savings Banks and Savings Departments of Trust Companies and interest thereon in that State.

The report was accepted, the amendment adopted, and the bill ordered to a third reading this afternoon at three o'clock.

Senator Elder, for the Committee on Banks, to whom was referred:

Senate Bill No. 3. An act in relation to the examination of Savings Banks by the Trustees, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

The following message was received from the House of Representatives by its Clerk.

#### HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 91, (In New Draft and New Title), An act in amendment of Chapter 7 of the Session Laws of 1907, concerning holidays.

House Bill No. 252, An act in amendment of Section 4, Chapter 76, Laws of 1895, relating to the protection from pollution of sources of water used for domestic purposes.

## READ AND REFERRED.

The following entitled bills sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Revision of Laws:

House Bill No. 91 (New Draft and New Title), An act in amendment of Chapter 7 of the Session Laws of 1907, concerning holidays.

To the Committee on Public Health:

House Bill No. 252, An act in amendment of Section 4, Chapter 76, Laws of 1895, relating to the protection from pollution of sources of water used for domestic purposes.

## INTRODUCTION OF A BILL.

Senator Hodgdon, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed, and referred:

To the Committee on Revision of Laws:

Senate Bill No. 22, An act in amendment of Section 3, Chapter 24 of the Public Statutes, relating to the County Convention.

## INTRODUCTION OF A COMMITTEE BILL.

The Committee on Revision of Laws, having considered the subject matter reported the following entitled new bill and recommended its passage:

Senate Bill No. 23, An act to authorize the Governor to accept gifts of personal property to the State.

The above entitled bill was read a first and second time and laid upon the table to be printed under the rules.

## RECONSIDERATION OF VOTE.

Senator Coulombe offered the following motion:

That the Senate reconsider the vote on Senate Bill No. 21, An act to provide for a new Charter for the City of Berlin.

The question being stated: Shall the motion prevail?

On a *viva voce* vote the chair was in doubt and called for a division.

Eleven Senators having voted in the affirmative and six Senators having voted in the negative, the motion prevailed.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the above entitled bill passed.

The same Senator offered the following motion:

That the bill be indefinitely laid upon the table.

On a *viva voce* vote, the chair was in doubt and called for a division.

Eleven Senators having voted in the affirmative and two Senators having voted in the negative, the affirmative prevailed and the bill was indefinitely laid upon the table.

#### SPECIAL ORDER.

Senator Ripley called for the special order, it being Senate Bill No. 2, An act in amendment of Section 12, Chapter 266 of the Public Statutes as amended by Chapter 211, Section 1, of the Session Laws of 1913, relating to Trespass and Malicious Injuries.

The question being stated: Shall the report of the minority be substituted for that of the majority?

(Discussion ensued.)

On a *viva voce* vote the chair was in doubt and called for a division.

Senator Ham demanded a roll call.

The Clerk proceeded to call the roll.

The following named senators voted in the affirmative: Senators Ripley, Burns, Abbott, Brown, Hammond, Jaquith, Lufkin, Rice, Elder, Adams, Hodgdon.

The following named Senators voted in the negative:

Senators Coulombe, Hagerty, Tripp, Orr, Branch, Osgood, Hurley, Janelle, Ham, Swasey.

Eleven Senators having voted in the affirmative and ten Senators having vote in the negative the motion to substitute prevailed, and the bill was ordered to a third reading this afternoon at 2 o'clock.



Senator Ripley offered the following motion:

That the rules be so far suspended as to allow the third reading and final passage of the above bill at the present time.

On a *viva voce* vote the chair was in doubt and called for a division.

Eleven Senators having voted in the affirmative and ten Senators having voted in the negative the motion was declared lost, failing to receive the necessary two-thirds vote.

On motion of Senator Burns, the Senate adjourned.

## AFTERNOON.

### THIRD READINGS.

On motion of Senator Osgood the rules were suspended and the following entitled bill was read a third time by title and passed:

House Bill No. 16, An act authorizing the Rockingham County Light and Power Company to issue Preferred Stock and for other purposes.

On motion of Senator Hurley the rules were suspended and the following entitled bills were severally read a third time by title and passed:

House Bill No. 38, An act to authorize licensing public utilities to exercise rights on public lands.

House Bill No. 44, An act to authorize the discontinuance of state highways.

House Bill No. 81, An act authorizing the Town of Rumney to raise money by taxation for the care of cemeteries.

House Bill No. 98 (New Draft and New Title), An act to legalize certain acts of the Town of Littleton and to authorize the issue of town bonds.

House Bill No. 101, An act in amendment of Section 55, Chapter 133, Laws of 1915 as amended by Section 20, Chapter 184, Laws of 1917 and Chapter 146, Laws of 1919 and Chapter 93, Laws of 1921, to regulate the issuing of hunting licenses.

House Bill No. 286, An act to exempt from taxation property in Sutton held for public use by the North Sutton Improvement Society.

House Bill No. 287, An act to amend the Charter of Keene Academy.

House Bill No. 288, An act in amendment of Chapter 133, Laws of 1915, as amended by Laws of 1917, 1919, and 1921, in relation to migratory birds.

House Bill No. 289, An act in amendment of Chapter 93, Laws of 1921, in relation to the issuance of hunting licenses.

Senate Bill No. 2, An act in amendment of Section 12, Chapter 266 of the Public Statutes as amended by Chapter 211, Section 1, of the Session Laws of 1913, relating to Trespass and Malicious Injuries.

The question being stated: Shall the bill pass?

(Discussion ensued.)

Senator Janelle demanded a roll call.

The Clerk proceeded to call the roll.

The following named Senators voted in the affirmative:

Senators Ripley, Burns, Abbott, Brown, Hammond, Jaquith, Lufkin.

The following named Senators voted in the negative:

Senators Hagerty, Tripp, Orr, Branch, Osgood, Hurley, Janelle, Ham, Elder, Swasey, Hodgdon.

Senator Coulombe voting in the negative was paired with Senator Rice voting in the affirmative.

Seven Senators having voted in the affirmative and eleven Senators having voted in the negative, the negative prevailed and the bill did not pass.

The following entitled bill was read a third time, passed and sent to the House of Representatives for concurrence in Senate amendments:

House Bill No. 25, An act amending Section 2 of Chapter 189 of the Laws of 1917 relating to taxation of deposits in banks in other states.

On motion of Senator Swasey the Senate adjourned.

## THURSDAY, FEBRUARY 22, 1923.

The Senate met according to adjournment.

## LEAVES OF ABSENCE.

Senators Ripley and Orr were granted leave of absence for the day on account of important business.

## COMMITTEE REPORTS.

Senator Osgood, for the Committee on the Judiciary, to whom was referred:

House Bill No. 36, An act in amendment of Section 40 of the Business Corporation Law.

House Bill No. 37 (In New Draft), An act in amendment of Section 1 of the Business Corporation Law.

House Bill No. 39, An act relating to the issue of bonds by the Union School District No. 2 of the Town of Bristol.

House Bill No. 62, An act to amend the Charter of the Nashua Protestant Home for Aged Women.

House Bill No. 69, An act to enable the Town of Newport, New Hampshire, to refund its indebtedness.

House Bill No. 84, An act authorizing the Town of Claremont to renew and extend its water bonds.

House Bill No. 110, An act in amendment of Chapter 148 of the Laws of 1915, entitled: An act relating to actions for personal injuries.

House Bill No. 227, An act authorizing the Lancaster fire precinct to pay certain moneys to Union School District No. One in the Town of Lancaster.

House Bill No. 292, An act to amend the charter of the Gordon-Nash Library in New Hampton.

Senate Bill No. 18, An act to change the name of Nelson Aldrich Edgell to that of Stephen Maurice Edgell.

Having considered the same reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at 2 o'clock.

Senator Osgood, for the Committee on the Judiciary, to whom was referred:

Senate Bill No. 16, An act for the punishment of persons issuing worthless checks, having considered the same reported the same in new draft with the recommendation that this bill in its new draft ought to pass.

The report was accepted and the bill in its new draft was read a first and second time and laid upon the table to be printed under the rules.

Senator Osgood for the Committee on the Judiciary, to whom was referred:

House Bill No. 175, An act relating to the purchase of legislative supplies, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Senator Ham, for the Committee on Public Health, to whom was referred:

House Bill No. 21, An act concerning the transfer of bodies from one town to another, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

Senator Ham, for the Committee on Public Improvements, to whom was referred:

House Bill No. 236, An act to create a State Pier Commission, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

Senator Osgood, for the Committee on Engrossed Bills, to whom was referred:

House Bill No. 15, An act in amendment of Chapter 186 of the Public Statutes relating to Wills, having considered the same, reported the same under Joint Rule No. 6, with the following amendments and recommended its passage:

Amend Section 1 of the bill by striking out the word "his" in the seventh line and inserting in place thereof the word "their".

Further amend said Section by striking out the words "he" and "his" in the eighth line of said section and inserting in place thereof the words "they" and "their", so that said section as amended shall read as follows:

SECTION 1. Amend Section 1 of Chapter 186 of the Public Statutes by inserting after the words "every person of the age of twenty-one years" the words "and married persons under that age", so that said section when amended shall read as follows: SECT. 1. Every person of the age of twenty-one years and married persons under that age, of sane mind, may devise and dispose of their property, real and personal, and of any right or interest they may have in any property by their last will in writing. "Every person" shall be construed to include a married woman.

The report was accepted, amendments adopted, and the bill sent to the House of Representatives for concurrence in Senate amendments.

Senator Osgood, for the Committee on Engrossed Bills, to whom was referred:

House Bill No. 59, An act to amend an act to establish a Corporation by the Name of the Trustees of the New Hampshire Conference Seminary and the New Hampshire Female College, approved December 29, 1852, and other acts amending the same, having considered the same, reported the same under Joint Rule No. 6, with the following amendments and recommended its passage:

Amend Section 1 of the bill by striking out the words "Chapter 1372 of the Laws of" in the first line and inserting in place thereof the words "an act approved December 29."

Further amend the said section by striking out the words "Chapter 2289 of the Laws of" in the fourth and fifth lines and inserting in place thereof the words "an act approved June 23"; so that said section as amended shall read as follows:

SECTION 1. Amend Section 1 of an act approved December 29, 1852, entitled an act to establish a corporation by the name of the New Hampshire Conference Seminary and the New Hampshire Female College as amended by an act approved June 23, 1859 and Chapter 198 of the Laws of 1903, so that the name of the corporation shall be Tilton School.

The report was accepted, amendments adopted, and the bill sent to the House of Representatives for concurrence in Senate amendments.

The following report of the Committee on Engrossed Bills was read and accepted.

BILLS ENGROSSED.

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 11, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Brookline.

House Bill No. 12, An act relating to the issue of bonds by the School District of the town of Hampton.

House Bill No. 13, An act to legalize the votes and proceedings of the town of Hopkinton at the biennial election held November 7, 1922.

House Bill No. 20, An act to establish a new apportionment for the assessment of public taxes.

House Bill No. 55, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Amherst.

House Bill No. 56, An act in amendment of Section 3, Chapter 29, Laws of 1893, as amended by Section 1, Chapter 67, Laws of 1897, Section 1, Chapter 14, Laws of 1913, Section 1, Chapter 171, Laws of 1915, and Section 1, Chapter 49, Laws of 1917, relating to highway agents.

House Bill No. 60, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Langdon.

House Bill No. 63, An act to legalize the biennial election

held on the seventh day of November, 1922, in the town of Marlow.

House Bill No. 77, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Warren.

House Bill No. 82, An act in amendment of Section 5 of Chapter 46 of the Laws of 1897 relating to the license fee of itinerant vendors.

House Bill No. 92, An act legalizing the biennial election held in the town of Chesterfield on November 7, 1922.

House Bill No. 285, An act to change the corporate name of the Exeter Cottage Hospital.

House Bill No. 291, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Effingham.

House Joint Resolution No. 10, Joint resolution in favor of William H. Knox and others.

House Joint Resolution No. 43, Joint resolution relating to the valuation of railroads.

The following message was received from the House of Representatives by its clerk:

#### HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, and House Joint Resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 5, Joint resolution appropriating money for purposes of continuing the work of eradicating Bovine Tuberculosis and other purposes.

House Joint Resolution, No. 13, Joint resolution in favor of Hubert J. Kennedy.

House Joint Resolution No. 22, Joint resolution in favor of the New Hampshire Old Home Week Association.

House Joint Resolution No. 38, Joint resolution in favor of the estate of George W. Benson.

House Joint Resolution No. 47, Joint resolution appropriating money for the payment of rental in Patriot Building in Concord.

House Bill No. 148, An act in amendment of Section 18, Chapter 119, of the session laws of 1921, relating to operating motor vehicles while under the influence of intoxicating liquor.

House Bill No. 168, An act relating to the precincts in the City of Concord.

House Bill No. 229, An act in amendment of Chapter 305, Laws of 1909, entitled "An act to revise the charter of the City of Concord and Chapter 245, Laws of 1919 in amendment thereof.

#### READ AND REFERRED.

The following entitled bill sent up from the House of Representatives was read a first and second time, and referred:

To the Committee on Revision of Laws,

House Bill No. 148, An act in amendment of Section 18, Chapter 119, of the Session Laws of 1921, relating to operating Motor Vehicles while under the Influence of Intoxicating Liquor.

On motion of Senator Coulombe, the rules were so far suspended that the following entitled bills sent up from the House of Representatives were severally read a first and second time by title and referred:

To the Committee on Revision of Laws,

House Bill No. 168, An act relating to the Precincts in the City of Concord.

To the Committee on the Judiciary,

House Bill No. 229, An act in amendment of Chapter 305, Laws of 1909, entitled An act to Revise the Charter of the City of Concord, and Chapter 245, Laws of 1919 in amendment thereof.

The following joint resolutions sent up from the House of Representatives were severally read a first and second time, and referred:

To the Committee on Agriculture,

House Joint Resolution No. 5, Joint resolution appropriating Money for Purposes of Continuing the Work of Eradicating Bovine Tuberculosis and other purposes.



To the Committee on Claims,  
House Joint Resolution No. 13, Joint resolution in favor of Hubert J. Kennedy.

To the Committee on Finance,  
House Joint Resolution No. 22, Joint resolution in favor of the New Hampshire Old Home Week Association.

House Joint Resolution No. 38, Joint resolution in favor of the Estate of George W. Benson.

House Joint Resolution No. 47, Joint resolution appropriating Money for the Payment of Rental in Patriot Building in Concord.

#### BILLS FORWARDED.

The following entitled bills which were laid upon the table to be printed were taken from the table and ordered to a third reading this afternoon at 2 o'clock:

Senate Bill No. 14, (In New Draft), An act to amend Section 21 of Chapter 287 of the Public Statutes, as amended by Section 1 of Chapter 78, Laws of 1907 and Section 1 of Chapter 136, Laws of 1919, relating to Pay of Jurors.

Senate Bill No. 23, An act to authorize the Governor to accept gifts of personal property to the State.

On motion of Senator Osgood, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

#### THIRD READINGS.

Agreeably to the foregoing motion the following entitled bill was read a third time and passed:

House Bill No. 21, An act concerning the Transfer of Bodies from one Town to another.

On motion of Senator Tripp, the rules were suspended and the following entitled bills were severally read a third time by title and passed:

House Bill No. 36, An act in amendment of Section 40 of the Business Corporation Law.

House Bill No. 37, (New Draft), An act in amendment of Section 1 of the Business Corporation Law.

House Bill No. 39, An act relating to the Issue of Bonds by the Union School District No. 2 of the Town of Bristol.

House Bill No. 62, An act to amend the Charter of the Nashua Protestant Home for Aged Women.

House Bill No. 69, An act to enable the Town of Newport, New Hampshire, to refund its indebtedness.

House Bill No. 84, An act authorizing the Town of Claremont to Renew and Extend its Water Bonds.

House Bill No. 110, An act in amendment of Chapter 148 of the Laws of 1915, entitled: An act relating to Actions for Personal Injuries.

House Bill No. 227, An act authorizing the Lancaster Fire Precinct to pay certain moneys to Union School District No. One in the Town of Lancaster.

House Bill No. 236, An act to Create a State Pier Commission.

House Bill No. 292, An act to amend the Charter of the Gordon-Nash Library in New Hampton.

The following entitled bills were severally read a third time and sent to the House of Representatives for concurrence:

Senate Bill No. 18, An act to change the name of Nelson Aldrich Edgell to that of Stephen Maurice Edgell.

Senate Bill No. 23, An act to authorize the Governor to accept gifts of personal property to the State.

The following entitled bill was read a third time:

Senate Bill No. 14, An act to amend Section 21 of Chapter 287 of the Public Statutes, as amended by Section 1 of Chapter 78, Laws of 1907 and Section 1 of Chapter 136, Laws of 1919, relating to Pay of Jurors.

The question being stated: Shall the bill pass?

(Discussion ensued.)

On a *viva voce* vote the negative prevailed.

Senator Osgood demanded a roll-call.

The clerk proceeded to call the roll.

The following named senators voted in the affirmative:

Senators Coulombe, Burns, Abbott, Brown, Hammond,

Jaquith, Lufkin, Hagerty, Tripp, Branch, Osgood, Hurley, Janelle, Swasey.

The following named senator voted in the negative:

Senator Ham.

Fourteen Senators having voted in the affirmative and one Senator having voted in the negative, the bill passed and was sent to the House of Representatives for concurrence.

On motion of Senator Brown the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9.00 o'clock, and when it adjourns Friday morning it be to meet Monday evening at 7.30 o'clock.

On motion of Senator Hurley the Senate adjourned.

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#### FRIDAY, FEBRUARY 23, 1923.

The Senate met according to adjournment.

On motion of Senator Swasey the Senate adjourned.

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#### MONDAY, FEBRUARY 26, 1923.

The Senate met according to adjournment.

On motion of Senator Orr the Senate adjourned.

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#### TUESDAY, FEBRUARY 27, 1923.

The Senate met according to adjournment.

#### LEAVE OF ABSENCE.

Senator Burns was granted leave of absence for the day on account of sickness.

#### COMMITTEE REPORT.

The following report of the Committee on Engrossed Bills was read and accepted.

## BILLS ENGROSSED.

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolution:

House Bill No. 16, An act authorizing the Rockingham County Light & Power Company to issue preferred stock and for other purposes.

House Bill No. 25, An act amending Section 2 of Chapter 189 of the Laws of 1917, relating to taxation of deposits in banks in other states.

House Bill No. 38, An act to authorize licensing public utilities to exercise rights on public lands.

House Bill No. 44, An act to authorize the discontinuance of state highways.

House Bill No. 81, An act authorizing the Town of Rumney to raise money by taxation for the care of cemeteries.

House Bill No. 98, An act to legalize certain acts of the Town of Littleton, and to authorize the issue of town bonds.

House Bill No. 286, An act to exempt from taxation property in Sutton held for public use by the North Sutton Improvement Society.

House Bill No. 287, An act to amend the Charter of Keene Academy.

House Joint Resolution No. 8, Joint resolution in favor of changing the name of the highway known as "West Side Road" to the Dartmouth College Road.

The following message was received from the House of Representatives by its clerk:

## HOUSE MESSAGE:

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 107 (In New Draft), An act relating to the sale of farm produce.

House Bill No. 204, An act in amendment of Section 1 of Chapter 96 of the Session Laws of 1901, entitled: "An act

relating to High Schools, as amended by Chapter 118, Laws of 1903, as amended by Chapter 16, Laws of 1917."

House Bill No. 250, An act to legalize the biennial election held on the seventh day of November, 1922, in the Town of Alton.

#### READ AND REFERRED.

The following entitled bills sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on the Judiciary:

House Bill No. 250, An act to legalize the biennial election held on the seventh day of November, 1922, in the Town of Alton.

To the Committee on Education:

House Bill No. 204, An act in amendment of Section 1, of Chapter 96 of the Session Laws of 1901 entitled, "An act relating to High Schools, as amended by Chapter 118, Laws of 1903 as amended by Chapter 16, Laws of 1917."

To the Committee on Agriculture:

House Bill No. 107 (In New Draft), An act relating to the sale of farm produce.

#### FORWARDING OF BILL.

The following entitled bill which was laid upon the table to be printed was taken from the table and ordered to a third reading this afternoon at 2 o'clock:

Senate Bill No. 16 (In New Draft), An act for the punishment of persons issuing worthless checks.

#### INTRODUCTION OF COMMITTEE REPORT.

On motion of Senator Brown the rules were so far suspended as to allow the introduction of the following committee report:

The Committee on Finance to whom was referred:

House Joint Resolution No. 47, Joint resolution appropriating money for the payment of rental in Patriot Building in Concord, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the joint resolution ordered to a third reading this afternoon at 2 o'clock.

On motion of Senator Coulombe the Senate adjourned.

### AFTERNOON.

#### THIRD READINGS.

The following joint resolution was read a third time and passed:

House Joint Resolution No. 47, Joint resolution appropriating money for the payment of rental in Patriot Building in Concord.

The following bill was read a third time, passed and sent to the House of Representatives for concurrence:

Senate Bill No. 16 (In New Draft), An act for the punishment of persons issuing worthless checks.

#### INTRODUCTION OF COMMITTEE REPORT.

Senator Tripp moved that the rules be so far suspended as to allow the introduction of the following committee report:

The Committee on Agriculture, to whom was referred:

House Joint Resolution No. 5, Joint resolution appropriating money for purposes of continuing the work of eradicating bovine tuberculosis and other purposes, having considered the same, reported the same without amendment, and recommended its passage.

The report was accepted and the joint resolution referred to the Committee on Finance.

On motion of Senator Elder the Senate adjourned.

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WEDNESDAY, FEBRUARY 28, 1923.

The Senate met according to adjournment.

#### MAJORITY AND MINORITY COMMITTEE REPORTS.

Senator Abbott, for a majority of the Committee on the Judiciary, to whom was referred Senate Bill No. 13, An act to create a Minimum Wage Commission and prescribe its

powers and duties, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

Senator Hurley, for a minority of the Committee on the Judiciary, to whom was referred Senate Bill No. 13, An act to create a Minimum Wage Commission and prescribe its powers and duties, having considered the same reported the same without amendment and recommended its passage.

The report of the majority was accepted.

Senator Hurley moved that the report of the minority be substituted for that of the majority, and with that motion pending, the bill was laid upon the table and made a Special Order for Wednesday, March 7, at 11.01 o'clock.

The undersigned, a majority of the Committee on Labor, to whom was referred House Bill No. 1, An act in amendment of Section 1 of Chapter 156 of the Laws of 1913, as amended by Section 1 of Chapter 196 of the Laws of 1917, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

JOHN F. SWASEY,  
LEON D. RIPLEY,  
SEWALL W. ABBOTT.

*A Majority of the Committee.*

The undersigned, a minority of the Committee on Labor, to whom was referred House Bill No. 1, An act in amendment of Section 1 of Chapter 156 of the Laws of 1913, as amended by Section 1 of Chapter 196 of the Laws of 1917, having considered the same reported the same without amendment and recommended its passage.

DANIEL J. HAGERTY,  
OMER JANELLE.

*A Minority of the Committee.*

The report of the majority was accepted.

Senator Hagerty moved that the report of the minority be substituted for that of the majority.

The question being stated: Shall the report of the minority be substituted for the report of the majority?

(Discussion ensued.)

Senator Ham demanded a roll-call.

The clerk proceeded to call the roll.

The following named Senators voted in the affirmative:

Coulombe, Hagerty, Tripp, Orr, Branch, Osgood, Hurley, Janelle, Ham, Elder.

The following named Senators voted in the negative:

Ripley, Burns, Abbott, Brown, Hammond, Jaquith, Lufkin, Holmes, Rice, Lane, Swasey, Hodgdon.

Ten Senators having voted in the affirmative and twelve Senators having voted in the negative, the negative prevailed, and the motion to substitute the minority report was lost.

Senator Osgood moved that the passage of the bill with the following amendment be substituted for the majority report that it was inexpedient to legislate.

Amend House Bill No. 1 by striking out Section 2 and inserting in place thereof the following:

SECT. 2. A commission of five members is hereby created consisting of two Senators to be chosen by the Senate, two Representatives to be chosen by the House of Representatives and one other member to be chosen by said four members or in case such choice shall not be made within thirty days from the date that this act takes effect, then said fifth member shall be appointed by the Governor. Such commission shall investigate any and all matters which in their judgment bear upon the question of reducing the hours of labor for women and minors and the effect of such reduction as made in this bill, in actual operation, to the end that the facts relating thereto may be determined and full report thereof made to the next Legislature.

SECT. 3. The commission shall have the power to elect a chairman and other officers to compel the attendance of witnesses and giving of testimony under oath and to require the production of books and papers, to employ experts and



such assistants as may be necessary properly to conduct the investigation and shall have such further and additional powers as may be necessary to make the investigation provided for by this act.

SECT. 4. The Governor and Council shall assign or procure a suitable room or rooms in the State House or elsewhere in Concord for said commission's use. The members of said commission shall each receive the sum of eight dollars per day and travelling and other actual expenses for time actually devoted to the commission's work, the same and such other expenses as the commission may reasonably incur for the above purpose, including expert, clerical and stenographic assistance, to be paid from the State treasury when approved by the Governor and Council; and the Governor is hereby authorized to draw his warrant therefor out of any money not otherwise appropriated.

SECT. 5. This act shall take effect sixty days after its passage, and shall continue in operation for the period of two years and not afterwards.

The question being stated:

Shall the motion that the bill ought to pass with amendment be substituted for the majority report?

(Discussion ensued.)

Senator Janelle demanded a roll call.

The following named Senators voted in the affirmative:

Coulombe, Hagerty, Tripp, Orr, Branch, Osgood, Hurley, Janelle, Ham, Elder.

The following named Senators voted in the negative:

Ripley, Burns, Abbott, Brown, Hammond, Jaquith, Lufkin, Holmes, Rice, Lane, Swasey, Hodgdon.

Ten Senators having voted in the affirmative and twelve Senators having voted in the negative, the negative prevailed and the motion to substitute was lost.

The question being stated:

Shall the resolution of the committee that it is inexpedient to legislate, be adopted?

Senator Hurley demanded a roll call.

The following named Senators voted in the affirmative:

Ripley, Burns, Abbott, Brown, Hammond, Jaquith, Lufkin, Holmes, Rice, Lane, Swasey, Hodgdon.

The following named Senators voted in the negative:

Coulombe, Hagerty, Tripp, Orr, Branch, Osgood, Hurley, Janelle, Ham, Elder.

Twelve Senators having voted in the affirmative and ten Senators having voted in the negative, the affirmative prevailed and the resolution that it is inexpedient to legislate was adopted.

On motion of Senator Hodgdon the Senate adjourned.

#### AFTERNOON.

Senator Osgood for the Committee on Engrossed Bills to whom was referred:

House Bill No. 62, An act to amend the charter of the Nashua Protestant Home for Aged Women, having considered the same reported the same under joint rule 6 with the following amendment and recommended its passage.

Amend Section 1 of said bill by striking out the word "property" in the eleventh line and by inserting in place thereof the word "estate" and by striking out the word "purpose" in the fifteenth line and by inserting in place thereof the word "purposes."

The report was accepted, the amendment adopted and the bill sent to the House of Representatives for concurrence in Senate amendment.

House Bill No. 101, An act in amendment of Section 44, Chapter 133, Laws of 1915, as amended by Section 20, Chapter 184, Laws of 1917 and Chapter 146, Laws of 1919 and Chapter 93, Laws of 1921, to regulate the issuing of hunting licenses, having considered the same reported the same under joint rule 6 with the following amendments and recommended its passage.

Amend the title of said bill by striking out the whole of said title and inserting in place thereof the following title "An act to regulate the issuing of hunting licenses."

Amend Section 1 of said bill by striking out the whole of said section and inserting in place thereof the following:

SECTION 1. Amend Section 55, Chapter 133, Laws of 1915, as amended by Section 20, Chapter 184, Laws of 1917, by striking out after the word "over" in the fourth line of said section the following: "and to persons under sixteen years of age with the consent in writing of the parent or guardian of such child. No such license shall be granted to any child under thirteen years of age", and by striking out the word "thirteen" in the seventh line of said section and inserting in place thereof the word "sixteen", so that the first paragraph of said section, as amended shall read as follows:

SECT. 55. Such license shall be issued by the commission or by agents, under such rules and regulations, and in such form as may be prescribed by the commission, to persons sixteen years of age or over; provided however that a child under sixteen may hunt without a license when accompanied by parent or guardian who has secured a license according to the provisions of this act. Any child, resident or non-resident, under the age of sixteen and any woman, resident or non-resident, may take and kill fresh water fish without procuring a license so to do. The state treasurer shall supply the commission with books containing consecutively numbered licenses having duplicate stubs, upon which shall be recorded the date when the license was issued, and the name of the person to whom issued. Such license shall contain the name, age, color of hair and eyes, and residence of the licensee. The applicant shall fill out and subscribe to a blank to be furnished by the commission to said agent and pay him the following fees.

The report was accepted, the amendments adopted and the bill sent to the House of Representatives for concurrence in Senate amendments.

House Bill No. 288, An act in amendment of Chapter 133, Laws of 1915, as amended by Laws of 1917, 1919, and 1921, in relation to migratory birds, having considered the same reported the same under joint rule 6 with the following amendments and recommended its passage.

Amend the title of said bill by striking out the whole of said title and inserting in place thereof the following title: "An act in relation to migratory birds."

Amend Section 1 of said bill by striking out the whole of said section and inserting in place thereof the following:

SECTION 1. Amend paragraph (c) of Section 22, Chapter 133, Laws of 1915, by striking out all of said paragraph and inserting in place thereof a new paragraph as follows: (c) Any of the species mentioned in Section 21 and Section 22 shall not be taken from a boat propelled otherwise than by hand, nor with the aid of a jack or other light, nor between sunset in the evening and one-half hour before sunrise in the morning. The presence of a person upon the public waters of the State or the shores thereof after sundown and before one-half hour before sunrise, possessed of a firearm and jack or other light, shall be presumptive evidence that he has violated the provisions of this section.

The report was accepted, the amendments adopted and the bill sent to the House of Representatives for concurrence in Senate amendments.

House Bill No. 289, An act in amendment of Chapter 93, Laws of 1921, in relation to the issuance of hunting licenses, having considered the same reported the same under joint rule 6, with the following amendments and recommended its passage.

Amend the title of said bill by striking out the whole of said title and inserting in place thereof the following title: "An act in relation to the issuing of hunting licenses."

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

SECTION 1. Amend Section 55, Chapter 133, Laws of 1915, as amended by Section 20, Chapter 184, Laws of 1917, Section 1, Chapter 146, Laws of 1919 and Section 1, Chapter 93, Laws of 1921, by adding at the end of said section one new paragraph (g) which shall read as follows: (g) The commission shall have power and authority to suspend or

revoke the license of any person who has been convicted of a violation of any law relating to fish and game. Such license must be revoked within three months after the conviction and such revocation shall end with the calendar year in which the license is revoked.

SECT. 2. This act shall take effect upon its passage.

The report was accepted, the amendments adopted and the bill sent to the House of Representatives for concurrence in Senate amendments.

House Bill No. 292, An act in amendment of Chapter 193, Laws of 1887, as amended by Chapter 175, Laws of 1895, as amended by Chapter 339, Laws of 1913, relating to the Charter of the Gordon-Nash Library in New Hampton, having considered the same reported the same under joint rule 6, with the following amendments and recommended its passage.

Amend the title of said bill by striking out the whole of said title and inserting in place thereof the following title: "An act relating to the Charter of the Gordon-Nash Library in New Hampton."

Amend Section 1 of said act by striking out the word "be" in the fourth line and inserting in place thereof the words "is hereby."

The report was accepted, the amendments adopted and the bill sent to the House of Representatives for concurrence in Senate amendments.

The following report of the Committee on Engrossed Bills was read and accepted.

#### BILLS ENGROSSED.

The Committee on Engrossed Bills have examined and found correctly engrossed the following joint resolution:

House Joint Resolution No. 47, Joint resolution appropriating money for payment of rental in Patriot Building in Concord.

The following message was received from the House of Representatives by its clerk:

## HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 10, (In New Draft), An act authorizing the school district of Gorham to incur a limited amount of indebtedness to acquire land and construct, equip and furnish a high school building thereon.

House Bill No. 57 (In New Draft and New Title), An act in amendment of Section 1, Chapter 143, Laws of 1913, as amended by Section 1, Chapter 14, Laws of 1915 relating to the control of self-hunting dogs.

House Bill No. 75, An act relating to deceptive or misleading advertisements, publications or statements.

House Bill No. 85, An act to regulate the use of the waters in Silver Lake in Madison.

House Bill No. 115, An act to provide that the tax assessors of the city of Manchester shall be elected by direct vote of the citizens.

House Bill No. 118, An act in relation to the Finance Commission for the City of Manchester.

House Bill No. 138, An act to prohibit fishing through the ice in the Town of Stoddard.

House Bill No. 160, An act permitting the collection of birds, their nests and eggs, wild animals and fish for scientific purposes.

House Bill No. 247, An act in amendment of Chapter 133, Laws of 1915, as amended by Chapter 184, Laws of 1917, and as amended by Chapter 153, Laws of 1919 relating to fish and Game.

House Bill No. 258, An act to incorporate the Monadnock Club of Troy, N. H.

House Bill No. 294, An act in amendment of Chapter 109, Session Laws of 1915, entitled: An act to provide for the incorporation and management of Trust Companies and similar corporations.

## READ AND REFERRED.

On motion of Senator Coulombe, the rules were so far suspended that the following entitled bills sent up from the House of Representatives were severally read a first and second time by title, and referred:

To the Committee on the Judiciary:

House Bill No. 75, An act relating to deceptive or misleading advertisements, publications or statements.

House Bill No. 115, An act to provide that the Tax Assessors of the city of Manchester shall be elected by direct vote of the citizens.

House Bill No. 118, An act in relation to the finance commission for the city of Manchester.

To the Committee on Fisheries and Game:

House Bill No. 57 (In New Draft and New Title), An act in amendment of Section 1, Chapter 143, Laws of 1913, as amended by Section 1, Chapter 14, Laws of 1915 relating to the control of self-hunting dogs.

House Bill No. 138, An act to prohibit fishing through the ice in the Town of Stoddard.

House Bill No. 160, An act permitting the collection of birds, their nests and eggs, wild animals and fish for scientific purposes.

House Bill No. 247, An act in amendment of Chapter 133, Laws of 1915, as amended by Chapter 184, Laws of 1917, and as amended by Chapter 153, Laws of 1919 relating to Fish and Game.

To the Committee on Education:

House Bill No. 10 (In New Draft), An act authorizing the school district of Gorham to incur a limited amount of indebtedness to acquire land and construct, equip and furnish a high school building thereon.

To the Committee on Incorporations:

House Bill No. 258, An act to incorporate the Monadnock Club of Troy, N. H.

To the Committee on Banks:

House Bill No. 294, An act in amendment of Chapter 109, Session Laws of 1915, entitled An act to provide for the

incorporation and management of trust companies and similar corporations.

To the Committee on Revision of Laws:

House Bill No. 85, An act to regulate the Use of the Waters in Silver Lake in Madison.

On motion of Senator Elder the Senate adjourned.

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THURSDAY, MARCH 1, 1923.

The Senate met according to adjournment.

COMMITTEE REPORTS.

Senator Coulombe, for the Committee on Revision of Laws, to whom was referred:

House Bill No. 54 (New Draft and New Title), An act in amendment of Section 10, Chapter 152 of the Public Statutes relating to religious societies.

House Bill No. 91 (New Draft and New Title), An act in amendment of Chapter 7 of the Session Laws of 1907, concerning holidays.

House Bill No. 168, An act relating to the precincts in the City of Concord.

Senate Bill No. 20, An act to provide for increase of salary for sheriff of Hillsborough County.

Senate Bill No. 22, An act in amendment of Section 3, Chapter 24 of the Public Statutes, relating to the County Convention.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at two o'clock.

Senator Coulombe, for the Committee on Revision of Laws, to whom was referred:

Senate Bill No. 6, An act to amend Chapter 15 of the Session Laws of 1921, An act to insure to the citizens of New Hampshire the benefits of the established Standard Time.

Having considered the same, reported the same in new draft and new title and recommended its passage.



The report was accepted, the bill read a first and second time, and laid upon the table to be printed under the rules.

Senator Hammond for the Committee on Finance to whom was referred:

House Joint Resolution No. 22, Joint resolution in favor of the New Hampshire Old Home Week Association.

House Joint Resolution No. 38, Joint resolution in favor of the estate of George W. Benson.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the joint resolutions severally ordered to a third reading this afternoon at 2 o'clock.

The following message was received from the House of Representatives by its Clerk:

#### HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 4, An act repealing Section 2 of Chapter 55 of the Public Statutes, relating to the exemption from taxation of Manufacturing establishments.

House Bill No. 73 (In New Draft), An act in amendment of Section 13 of Chapter 191 of the Public Statutes, relating to suits by and against administrators.

#### READ AND REFERRED.

The following entitled bills sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Revision of Laws:

House Bill No. 73 (In New Draft), An act in amendment of Section 13 of Chapter 191 of the Public Statutes, relating to suits by and against administrators.

To the Committee on Public Improvements:

House Bill No. 4, An act repealing Section 2 of Chapter

55 of the Public Statutes, relating to the exemption from taxation of Manufacturing establishments.

On motion of Senator Orr the rules were suspended and all business in order for this afternoon at 2 o'clock was made in order at the present time.

#### THIRD READINGS.

Agreeably to the foregoing motion the following entitled bills were severally read a third time and passed.

House Bill No. 54 (In New Draft and New Title), An act in amendment of Section 10, Chapter 152 of the Public Statutes, relating to religious societies,

House Bill No. 91 (In New Draft and New Titles), An act in amendment of Chapter 7 of the Session Laws of 1907, concerning holidays.

House Bill No. 168, An act relating to the precincts in the City of Concord.

The following entitled bills were severally read a third time, passed and sent to the House of Representatives for concurrence.

Senate Bill No. 20, An act to provide for increase of salary for sheriff of Hillsborough County.

Senate Bill No. 22, An act in amendment of Section 3, Chapter 24. of the Public Statutes, relating to the County Convention.

The following Joint resolutions were severally read a third time and passed:

House Joint Resolution No. 22, Joint resolution in favor of the New Hampshire Old Home Week Association.

House Joint Resolution No. 38, Joint resolution in favor of the estate of George W. Benson.

On motion of Senator Osgood the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet to-morrow morning at 9 o'clock, and when it adjourns Friday morning it be to meet Monday evening at 7.30 o'clock.

On motion of Senator Burns the Senate adjourned.

FRIDAY, MARCH 2, 1923.

The Senate met according to adjournment.

Senator Orr having assumed the chair read the following communication:

CONCORD, N. H., March 2, 1923.

*Senator Orr:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige.

WESLEY ADAMS,  
*President.*

There being manifestly no quorum present, Senator Orr declared the Senate adjourned.

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MONDAY, MARCH 5, 1923.

The Senate met according to adjournment.

Senator Ripley having assumed the chair read the following communication:

CONCORD, N. H., March 5, 1923.

*Senator Ripley:*

Please preside for me at to-night's session of the New Hampshire Senate, and oblige.

WESLEY ADAMS,  
*President.*

On motion of Senator Lufkin the Senate adjourned.

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TUESDAY, MARCH 6, 1923.

The Senate met according to adjournment.

#### COMMITTEE REPORTS.

Senator Osgood for the Committee on the Judiciary to whom was referred:

House Bill No. 229, An act in amendment of Chapter 305, Laws of 1909, entitled An act to revise the charter of the City of Concord and Chapter 245, Laws of 1919, in amendment thereof.

House Bill No. 250, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Alton.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at 2 o'clock.

Senator Elder for the Committee on Banks to whom was referred:

House Bill No. 112, An act in amendment of Chapter 268 of the Laws of 1889, entitled: An act to incorporate the Woodsville Guaranty Savings Bank, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

The following report of the Committee on Engrossed Bills was read and accepted.

#### BILLS ENGROSSED.

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 15, An act in amendment of Chapter 186 of the Public Statutes, relating to wills.

House Bill No. 21, An act concerning the transfer of bodies from one town to another.

House Bill No. 36, An act in amendment of Section 40 of the Business Corporation Law.

House Bill No. 37, An act in amendment of Section 1 of the Business Corporation Law.

House Bill No. 39, An act relating to the issue of bonds by the Union School District No. 2 of the Town of Bristol.

House Bill No. 54, An act in amendment of Section 10 of

Chapter 152 of the Public Statutes, relating to religious societies.

House Bill No. 59, An act to amend an act to establish a corporation by the name of the Trustees of the New Hampshire Conference Seminary and the New Hampshire Female College, approved December 29, 1852, and other acts amending the same.

House Bill No. 69, An act to enable the Town of Newport, New Hampshire, to refund its indebtedness.

House Bill No. 84, An act authorizing the Town of Claremont to renew and extend its water bonds.

House Bill No. 110, An act in amendment of Chapter 148 of the Laws of 1915, entitled: "An act relating to actions for personal injuries."

House Bill No. 227, An act authorizing the Lancaster Fire Precinct to pay certain moneys to Union School District No. 1 in the Town of Lancaster.

House Bill No. 236, An act to create a State Pier Commission.

House Joint Resolution No. 22, Joint resolution in favor of the New Hampshire Old Home Week Association.

House Joint Resolution No. 38, Joint resolution in favor of the estate of George W. Benson.

The following message was received from the House of Representatives by its clerk:

#### HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bill, and joint resolution in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 86, An act amending Section 10 of Chapter 79 of the Public Statutes, enabling towns and village districts to establish Boards of Sewer Commissioners.

House Joint Resolution No. 52, Joint resolution to provide for deficit in the appropriation of the New Hampshire State Hospital for the fiscal period ending June 30, 1923.

## READ AND REFERRED.

The following entitled bill sent up from the House of Representatives was read a first and second time and referred:

To the Committee on Revision of Laws:

House Bill No. 86, An act amending Section 10 of Chapter 79 of the Public Statutes, enabling towns and village districts to establish boards of sewer commissioners.

The following Joint resolution sent up from the House of Representatives was read a first and second time and referred:

To the Committee on the State Hospital:

House Joint Resolution No. 52, Joint resolution to provide for a deficit in the appropriation of the New Hampshire State Hospital for the fiscal period ending June, 30, 1923.

## BILL RECALLED FROM THE GOVERNOR.

On motion of Senator Orr the following resolution was adopted:

*Resolved*, That the Governor be requested to return to the Senate for amendment the following entitled bill:

House Bill No. 168, An act relating to the precincts in the City of Concord.

## BILL RETURNED FROM THE GOVERNOR.

Pursuant to the above request, the Governor returned House Bill No. 168, An act relating to the precincts in the City of Concord.

On motion of Senator Orr, the rules were so far suspended as to allow the reconsideration of the vote on the above entitled bill.

On motion of the same Senator, the Senate voted to reconsider the vote whereby the following entitled bill passed:

House Bill No. 168, An act relating to the precincts in the City of Concord.

On motion of the same Senator, the Senate voted to

reconsider the vote whereby the above entitled bill was ordered to a third reading.

Senator Orr offered the following amendment:

Amend said bill by adding a new section at the end thereof, to be known as Section 2:

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

The amendment was adopted and the bill ordered to a third reading this afternoon at two o'clock.

On motion of Senator Orr, the rules were suspended, the bill read a third time, passed and sent to the House of Representatives for concurrence in Senate amendment.

On motion of Senator Hurley the Senate adjourned.

#### AFTERNOON.

The following message was received from the House of Representatives by its clerk:

#### HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 305, An act to authorize the County of Hillsborough to issue bonds.

#### READ AND REFERRED.

The following entitled bill sent up from the House of Representatives was read a first and second time and referred:

To the Committee on the Judiciary:

House Bill No. 305, An act to authorize the County of Hillsborough to issue bonds.

#### THIRD READINGS.

The following entitled bills were read a third time and passed:

House Bill No. 112, An act in amendment of Chapter 268 of the Laws of 1889, entitled an act to incorporate the Woodsville Guaranty Savings Bank.

House Bill No. 229, An act in amendment of Chapter 305, Laws of 1909, entitled an act to revise the Charter of the City of Concord and Chapter 245, Laws of 1919 in amendment thereof.

House Bill No. 250, An act to legalize the biennial election held on the seventh day of November, 1922, in the Town of Alton.

On motion of Senator Elder the Senate adjourned.

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WEDNESDAY, MARCH 7, 1923.

The Senate met according to adjournment.

#### COMMITTEE REPORTS.

Senator Hammond for the Committee on Finance to whom was referred:

House Joint Resolution No. 5, Joint resolution appropriating money for purposes of continuing the work of eradicating Bovine Tuberculosis and other purposes, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the joint resolution ordered to a third reading this afternoon at 2 o'clock.

Senator Ham for the Committee on Public Health to whom was referred:

House Bill No. 67, An act in amendment of Sub-division XIII, Section 10, Chapter 50 of the Public Statutes, relating to powers of city councils, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

Senator Hurley for the Committee on Incorporations to whom was referred:



House Bill No. 258, An act to incorporate the Monadnock Club of Troy, New Hampshire, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

Senator Hurley for the Committee on Claims to whom was referred:

House Joint Resolution No. 13, Joint resolution in favor of Hubert J. Kennedy, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the joint resolution referred to the Committee on Finance under the rules.

#### BILL FORWARDED.

The following entitled bill having been printed, was taken from the table and ordered to a third reading this afternoon at 2 o'clock.

Senate Bill No. 6 (In New Title and New Draft), An act to amend Chapter 15 of the Session Laws of 1921, to insure to the Citizens of New Hampshire the benefits of the established standard time.

The following message was received from the House of Representatives by its clerk:

#### HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 159, An act for the protection of woodlands from fire during periods of protracted drought.

The message also announced that the House of Representatives had voted to concur with the Honorable Senate in its amendment to the following bill:

House Bill No. 168, An act relating to the precincts in the City of Concord.

## READ AND REFERRED.

The following entitled bill sent up from the House of Representatives was read a first and second time and referred:

To the Committee on Forestry:

House Bill No. 159, An act for the protection of woodlands from fire during periods of protracted drought.

## SPECIAL ORDER.

Senator Hurley called for the Special Order, it being Senate Bill No. 13, entitled: An act to create a minimum wage commission and prescribe its powers and duties.

The question being stated: Shall the report of the minority that the bill ought to pass be substituted for the report of the majority that it is inexpedient to legislate?

On a *viva voce* vote the negative prevailed and the motion to substitute was lost.

The question being stated: Shall the resolution of the committee that it is inexpedient to legislate be adopted?

On a *viva voce* vote the affirmative prevailed and the resolution was adopted.

On motion of Senator Hurley, the Senate adjourned.

## AFTERNOON.

## INTRODUCTION OF A COMMITTEE BILL.

The Committee on the Judiciary having considered the subject matter, reported the following joint resolution:

Senate Joint Resolution No. 5, Joint resolution providing for a fact-finding commission relative to proposed legislation as to hours of labor.

The above joint resolution was read a first and second time and laid upon the table to be printed under the rules.

On motion of Senator Osgood, the above joint resolution was made a Special Order for Tuesday, March 20, at 11.01 o'clock.

## THIRD READINGS.

The following entitled bills and joint resolution were severally read a third time and passed:

House Bill No. 67, An act in amendment of Sub-division XIII, Section 10, Chapter 50 of the Public Statutes, relating to powers of City Councils.

House Bill No. 258, An act to incorporate the Monadnock Club of Troy, New Hampshire.

House Joint Resolution No. 5, Joint resolution appropriating money for purposes of continuing the work of eradicating Bovine Tuberculosis and other purposes.

The following entitled bill was read a third time:

Senate Bill No. 6 (In New Draft and New Title), An act to amend Chapter 15 of the Session Laws of 1921, An act to insure to the citizens of New Hampshire the benefits of the established standard time.

The question being stated: Shall the bill pass?

Senator Hagerty demanded a roll call.

The clerk proceeded to call the roll.

The following named senators voted in the affirmative:

Senators Ripley, Burns, Abbott, Brown, Hammond, Lufkin, Lane, Tripp, Orr, Branch, Osgood, Hurley, Janelle, Ham, Elder, Swasey.

The following named senator voted in the negative:

Senator Hagerty.

Sixteen senators having voted in the affirmative and one senator having voted in the negative the affirmative prevailed, the bill passed and was sent to the House of Representatives for concurrence.

## INTRODUCTION OF A COMMITTEE REPORT.

Senator Osgood moved that the rules be so far suspended as to allow the introduction of the following committee report:

The Committee on the Judiciary to whom was referred:

House Bill No. 305, An act to authorize the County of Hillsborough to issue bonds, having considered the same,

reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading tomorrow morning at 11.01 o'clock.

Senator Osgood offered the following motion: that the rules be suspended and the bill put upon its third reading and final passage at the present time.

On a *viva voce* vote the chair was in doubt and called for a division.

Fourteen senators having voted in the affirmative and two senators having voted in the negative, the rules were suspended and the bill read a third time and passed.

On motion of Senator Hurley, the Senate adjourned.

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#### THURSDAY, MARCH 8, 1923.

The Senate met according to adjournment.

#### COMMITTEE REPORTS.

Senator Ripley, for the Committee on Revision of Laws, to whom was referred:

House Bill No. 85, An act to regulate the use of the waters in Silver Lake in Madison.

House Bill No. 86, An act amending Section 10 of Chapter 79 of the Public Statutes, enabling towns and village districts to establish boards of sewer commissioners.

Having considered the same reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at two o'clock.

Senator Ripley, for the Committee on Revision of Laws, to whom was referred:

House Bill No. 73 (New Draft), An act in amendment of Section 13 of Chapter 191 of the Public Statutes, relating to suits by and against administrators.

Having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

#### INTRODUCTION OF COMMITTEE REPORT.

Senator Hammond moved that the rules be so far suspended as to allow the introduction of the following committee report:

The Committee on Education, to whom was referred House Bill No. 10 (New Draft), An act authorizing the School District of Gorham to incur a limited amount of indebtedness to acquire land and construct, equip and furnish a high school building thereon, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

The following report of the Committee on Engrossed Bills was read and accepted.

#### BILLS ENGROSSED.

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 168, An act relating to the precincts in the City of Concord.

House Bill No. 305, An act to authorize the County of Hillsborough to issue bonds.

The following message was received from the House of Representatives by its clerk:

#### HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 113 (In New Draft), An act relative to the official bond of the treasurer of Hillsborough County.

House Bill No. 220, An act relating to voting on removal of voter.

House Bill No. 253, An act in amendment of Section 19 of Chapter 286 of the public Statutes, relating to the salary of the treasurer of Hillsborough County.

House Bill No. 293, An act relating to the issue of bonds by the Town of Hooksett.

House Bill No. 304, An act to legalize the issue of serial notes or bonds of the County of Grafton.

House Bill No. 316, An act to authorize towns to raise money towards the support of a resident physician.

#### READ AND REFERRED.

The following entitled bills sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Revision of Laws:

House Bill No. 220, An act relating to voting on removal of voter.

House Bill No. 253, An act in amendment of Section 19 of Chapter 286 of the Public Statutes, relating to the salary of the treasurer of Hillsborough County.

House Bill No. 316, An act to authorize towns to raise money towards the support of a resident physician.

To the Committee on Incorporations:

House Bill No. 293, An act relating to the issue of bonds by the Town of Hooksett.

To the Committee on the Judiciary:

House Bill No. 113 (In New Draft), An act relative to the official bond of the treasurer of Hillsborough County.

House Bill No. 304, An act to legalize the issue of serial notes or bonds of the County of Grafton.

On motion of Senator Brown the rules were suspended, reference to the committee dispensed with and the foregoing entitled bill was read a third time and passed.

On motion of Senator Holmes, all business in order for this afternoon at 2 o'clock was made in order at the present time.

#### THIRD READINGS.

Pursuant to the foregoing motion the following entitled bills were severally read a third time and passed.

House Bill No. 10 (In New Draft), An act authorizing the School District of Gorham to incur a limited amount of indebtedness, to acquire land and construct, equip and furnish a high school building thereon.

House Bill No. 85, An act to regulate the use of the waters in Silver Lake in Madison.

House Bill No. 86, An act amending Section 10 of Chapter 79 of the Public Statutes, enabling towns and village districts to establish boards of sewer commissioners.

On motion of Senator Hammond, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning it be to meet to-morrow morning at 9 o'clock, and when it adjourns Friday morning it be to meet Monday afternoon at 5 o'clock, and when it adjourns Monday afternoon it be to meet Wednesday morning at 9 o'clock, and when it adjourns Wednesday morning it be to meet Friday morning at 11 o'clock, and when it adjourns Friday morning it be to meet Monday evening at 7.30 o'clock.

On motion of Senator Jaquith, the Senate adjourned.

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FRIDAY, MARCH 9, 1923.

The Senate met according to adjournment.

On motion of Senator Orr the Senate adjourned.

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MONDAY, MARCH 12, 1923.

The Senate met according to adjournment.

Senator Orr, having assumed the Chair, read the following communication:

*Senator Orr:* CONCORD, N. H., March 12, 1923.

Please preside for me at to-night's session of the New Hampshire Senate, and oblige.

WESLEY ADAMS,  
*President.*

There being manifestly no quorum present, Senator Orr declared the Senate adjourned.

WEDNESDAY, MARCH 14, 1923.

The Senate met according to adjournment.

Senator Orr, having assumed the Chair, read the following communication:

CONCORD, N. H., March 14, 1923.

*Senator Orr:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige.

WESLEY ADAMS,  
*President.*

There being manifestly no quorum present, Senator Orr declared the Senate adjourned.

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FRIDAY, MARCH 16, 1923.

The Senate met according to adjournment.

Senator Orr, having assumed the Chair, read the following communication:

CONCORD, N. H., March 16, 1923.

*Senator Orr:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige.

WESLEY ADAMS,  
*President.*

There being manifestly no quorum present, Senator Orr declared the Senate adjourned.

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MONDAY, MARCH 19, 1923.

The Senate met according to adjournment.

On motion of Senator Tripp the Senate adjourned.



## TUESDAY, MARCH 20, 1923.

The Senate met according to adjournment.

## COMMITTEE REPORTS.

Senator Elder for the Committee on Fisheries and Game to whom was referred:

House Bill No. 138, An act to prohibit fishing through the ice in the Town of Stoddard.

House Bill No. 160, An act permitting the collection of birds, their nests and eggs, wild animals and fish for scientific purposes.

House Bill No. 247, An act in amendment of Chapter 133, Laws of 1915, as amended by Chapter 184, Laws of 1917, and as amended by Chapter 153, Laws of 1919, relating to fish and game.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at 2 o'clock.

Senator Elder for the Committee on Fisheries and Game to whom was referred:

House Bill No. 57 (In New Draft and New Title), An act in amendment of Section 1, Chapter 143, Laws of 1913, as amended by Section 1, Chapter 14, Laws of 1915, relating to the control of self-hunting dogs, having considered the same, reported the same with the following amendment and recommended its passage:

Amend Section 1 by striking out in the fifth line, April 1st, and inserting in place thereof, March 1st.

The report was accepted, amendment adopted and the bill ordered to a third reading this afternoon at 2 o'clock.

Senator Orr for the Committee on the State Hospital to whom was referred:

House Joint Resolution No. 52, Joint resolution to provide for a deficit in the appropriation of the New Hampshire State Hospital for the fiscal period ending June 30, 1923,

having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the joint resolution referred to the Committee on Finance under the rules.

The following report of the Committee on Engrossed Bills was read and accepted.

#### BILLS ENGROSSED.

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolution:

House Bill No. 10, An act authorizing the school district of Gorham to incur indebtedness to a certain limited amount for the purpose of acquiring land and constructing thereon and equipping and furnishing a high school building.

House Bill No. 62, An act to amend the charter of the Nashua Protestant Home for Aged Women.

House Bill No. 67, An act in amendment of Sub-division XIII, Section 10, Chapter 50, of the Public Statutes, relating to powers of City Councils.

House Bill No. 86, An act amending Section 10 of Chapter 79 of the Public Statutes, enabling towns and village districts to establish boards of sewer commissioners.

House Bill No. 91, An act in amendment of Chapter 7 of the Session Laws of 1907, concerning holidays.

House Bill No. 101, An act to regulate the issuing of hunting licenses.

House Bill No. 112, An act in amendment of Chapter 268 of the Laws of 1889, entitled, "An act to incorporate the Woodsville Guaranty Savings Bank."

House Bill No. 229, An act in amendment of Chapter 305, Laws of 1909, entitled "An act to revise the Charter of the City of Concord," and Chapter 245, Laws of 1919, in amendment thereof.

House Bill No. 250, An act to legalize the biennial election held on the seventh day of November 1922 in the Town of Alton.

House Bill No. 258, An act to incorporate the Monadnock Club of Troy, New Hampshire.

House Bill No. 288, An act in relation to migratory birds.

House Bill No. 289, An act in relation to the issuing of hunting licenses.

House Bill No. 292, An act relating to the Charter of the Gordon-Nash Library in New Hampton.

House Bill No. 304, An act to legalize the issue of serial notes or bonds of the County of Grafton.

House Joint Resolution No. 5, Joint resolution appropriating money for purposes of continuing the work of eradicating bovine tuberculosis and controlling and suppressing contagious and infectious diseases among domestic animals.

The following message was received from the House of Representatives by its clerk:

#### HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills and joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 41, An act to provide for a Revision of the Public Laws.

House Bill No. 166 (In New Draft), An act in relation to the construction of curbing along the streets of the City of Manchester.

House Bill No. 323, An act relative to open air concerts in the City of Manchester.

House Joint Resolution No. 54, Joint resolution in favor of the estate of William B. Deal.

#### READ AND REFERRED.

The following entitled bills and joint resolution sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Revision of Laws:

House Bill No. 41, An act to provide for a revision of the Public Laws.

House Bill No. 166 (In New Draft), An act in relation to

the construction of curbing along the streets of the City of Manchester.

House Bill No. 323, An act relative to open air concerts in the City of Manchester.

To the Committee on Finance:

House Joint Resolution No. 54, Joint resolution in favor of the estate of William B. Deal.

#### INTRODUCTION OF A BILL.

Senator Ripley under a suspension of the rules, sixteen senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Revision of Laws:

Senate Bill No. 24, An act to legalize the March meeting held on the 13th day of March, 1923, in the Town of Clarks-ville.

(Recess.)

The Senate took a recess subject to the call of the Chair.

#### BILL RE-CALLED FROM THE GOVERNOR.

On motion of Senator Hurley the following resolution was adopted:

*Resolved*, That the Governor be requested to return to the Senate for further consideration the following entitled bill:

House Bill No. 85, An act to regulate the use of the waters in Silver Lake in Madison.

#### BILL RETURNED FROM THE GOVERNOR.

Pursuant to the above request the Governor returned House Bill No. 85, An act to regulate the use of the waters in Silver Lake in Madison.

Senator Hurley offered the following motion: that the rules be so far suspended as to allow the reconsideration of the vote on the above entitled bill.

The question being stated: Shall the motion prevail?

On a *viva voce* vote the president was in doubt and called for a division.

Twelve senators having voted in the affirmative and four

senators having voted in the negative, the affirmative prevailed and the motion was adopted.

The same senator offered the following motion: that the Senate reconsider the vote whereby the following entitled bill passed.

House Bill No. 85, An act to regulate the use of the waters in Silver Lake in Madison.

The question being stated: Shall the motion prevail?

On a *viva voce* vote the president was in doubt and called for a division.

Twelve senators having voted in the affirmative and four senators having voted in the negative, the affirmative prevailed and the motion was adopted.

The same senator offered the following motion, that the Senate reconsider the vote whereby the above entitled bill was ordered to a third reading.

The question being stated: Shall the motion prevail?

On a *viva voce* vote the president was in doubt and called for a division.

Twelve senators having voted in the affirmative and four senators having voted in the negative, the affirmative prevailed and the motion was adopted.

On motion of the same senator, the bill was recommitted to the Committee on Revision of Laws.

#### SPECIAL ORDER.

Senator Osgood called for the special order, it being Senate Joint Resolution No. 5, Joint resolution providing for a fact-finding commission relative to proposed legislation as to hours of labor.

The above joint resolution was referred to the Committee on Finance under the rules.

On motion of Senator Janelle the Senate adjourned.

#### AFTERNOON.

#### THIRD READINGS.

The following entitled bills were read a third time and passed:

House Bill No. 138, An act to prohibit fishing through the ice in the town of Stoddard.

House Bill No. 160, An act permitting the collection of birds, their nests and eggs, wild animals and fish for scientific purposes.

House Bill No. 247, An act in amendment of Chapter 133, Laws of 1915; as amended by Chapter 184, Laws of 1917, and as amended by Chapter 153, Laws of 1919 relating to fish and game.

The following entitled bill was read a third time:

House Bill No. 57 (In New Draft and New Title), An act in amendment of Section 1, Chapter 143, Laws of 1913, as amended by Section 1, Chapter 14, Laws of 1915 relating to the control of self-hunting dogs.

The question being stated: Shall the bill pass?

(Discussion ensued.)

On motion of Senator Osgood the above entitled bill was recommitted to the Committee on Fisheries and Game.

#### INTRODUCTION OF BILLS.

Senator Hurley under a suspension of the rules, sixteen senators having actually voted in favor thereof, introduced the following entitled bills which were severally read a first and second time, laid upon the table to be printed and referred:

To the Committee on the Judiciary:

Senate Bill No. 25, An act in amendment of Chapters 24 and 282 of the Public Statutes as amended by Chapter 135 Laws of 1921, relating to Common Jails and the Prisoners therein.

Senate Bill No. 26, An act to provide for an inspector of plumbing in the City of Manchester.

On motion of Senator Orr, the Senate adjourned.

## WEDNESDAY, MARCH 21, 1923.

The Senate met according to adjournment.

## LEAVES OF ABSENCE.

Senator Abbott was granted leave of absence for the day on account of important business.

Senator Lufkin was granted leave of absence for the day on account of sickness.

## COMMITTEE REPORTS.

Senator Orr, for the Committee on Fisheries and Game, to whom was referred:

House Bill No. 57 (New Draft and New Title), An act in amendment of Section 1, Chapter 143, Laws of 1913, as amended by Section 1, Chapter 14, Laws of 1915, relating to the control of self-hunting dogs.

Having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

The following message was received from the House of Representatives by its clerk:

## HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 330, An act to authorize the Town of Lebanon to increase its bonded debt.

The message further announced that the House of Representatives had voted to request a committee on conference to further consider House Bill No. 73 (In New Draft), entitled "An act in amendment of Section 13, Chapter 191 of the Public Statutes relating to suits, by and against administrators," in the passage of which the Honorable Senate has refused to concur: and pursuant to the vote

the Speaker has appointed Messrs. Lyford and Martin of Concord, and Eaton of Nashua as conferees on the part of the House.

On motion of Senator Ripley, the Senate voted to grant the request of the House of Representatives for a Committee of Conference on the foregoing entitled bill.

The President appointed as members of such committee on the part of the Senate, Senators Ripley, Brown and Osgood.

READ AND REFERRED.

The following entitled bill sent up from the House of Representatives was read a first and second time and referred:

To the Committee on Revision of Laws:

House Bill No. 330, An act to authorize the Town of Lebanon to increase its Bonded Debt.

The Senate took a recess subject to the call of the President.

(Recess.)

The Senate reassembled.

On motion of Senator Brown, the rules were so far suspended as to allow the introduction of the following committee reports:

MAJORITY AND MINORITY REPORTS.

The undersigned, a majority of the Committee on Finance, to whom was referred:

Senate Joint Resolution No. 5, Joint resolution providing for a fact-finding commission relative to proposed legislation as to hours of labor.

Having considered the same reported the same without amendment and recommended its passage.

ORA A. BROWN,  
H. FOSTER ELDER,  
JOHN A. HAMMOND,  
*A Majority of the Committee.*



The undersigned, a minority of the Committee on Finance, to whom was referred:

Senate Joint Resolution No. 5, Joint resolution providing for a fact-finding commission relative to proposed legislation as to hours of labor.

Having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

JOHN S. HURLEY,  
CLINTON S. OSGOOD,  
*A Minority of the Committee.*

The report of the majority was accepted.

Senator Osgood moved that the report of the minority be substituted for that of the majority.

On a *viva voce* vote the President was in doubt and called for a division.

Nine Senators having voted in the affirmative and eleven Senators having voted in the negative, the negative prevailed and the motion to substitute was lost.

Senator Brown, with the unanimous approval of the Finance Committee, offered the following amendment and moved its adoption:

Amend the joint resolution by adding at the end of the sixth paragraph, after the word "appropriated," the following words: "such sum not to exceed twenty-five thousand dollars (\$25,000)," so that said paragraph as amended shall read:

The Governor and Council shall assign or procure a suitable room or rooms in the State House or elsewhere in Concord for said commission's use. The members of said commission shall each receive the sum of eight dollars per day and traveling and other actual expenses for time actually devoted to the commission's work, the same and such other expense as the commission may reasonably incur for the above purposes, including expert, clerical and stenographic assistance, to be paid from the State Treasury when approved by the Governor and Council; and the Governor is

hereby authorized to draw his warrant therefor out of any money not otherwise appropriated, such sum not to exceed twenty-five thousand dollars (\$25,000).

On a *viva voce* vote the amendment was adopted.

The question being stated: Shall the joint resolution be read a third time?

(Discussion ensued.)

On a *viva voce* vote the President was in doubt and called for a division.

Twelve Senators having voted in the affirmative and eight Senators having voted in the negative, the affirmative prevailed and the joint resolution was ordered to a third reading this afternoon at two o'clock.

On motion of Senator Brown, the rules were suspended and the joint resolution ordered to a third reading at the present time.

The question being stated: Shall the joint resolution pass?

Senator Coulombe moved that the joint resolution be indefinitely postponed.

(Discussion ensued.)

The question being stated: Shall the motion prevail?

Senator Janelle demanded a roll-call.

The following named Senators voted in the affirmative:

Senators Coulombe, Hagerty, Tripp, Orr, Branch, Osgood, Hurley, Janelle, Ham.

The following named Senators voted in the negative:

Senators Ripley, Burns, Brown, Hammond, Jaquith, Holmes, Rice, Lane, Elder, Swasey Hodgdon.

Nine Senators having voted in the affirmative and eleven Senators having voted in the negative, the negative prevailed and the motion was lost.

The question recurring: Shall the joint resolution pass?

(Discussion ensued.)

On a *viva voce* vote the President was in doubt and called for a division.

Eleven Senators having voted in the affirmative and nine Senators having voted in the negative, the affirmative prevailed and the joint resolution passed.

#### INTRODUCTION OF BILLS.

Senator Orr, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bills, which were severally read a first and second time, laid upon the table to be printed, and referred:

To the Committee on Revision of Laws:

Senate Bill No. 27, An act to change the name of John Young Pond in Lyman.

To the Committee on Fisheries and Game:

Senate Bill No. 28, An act in amendment of the fish and game laws relating to the taking and possession of pickerel.

#### INTRODUCTION OF A JOINT RESOLUTION.

Senator Elder under a suspension of the rules, sixteen senators having actually voted in favor thereof, introduced the following joint resolution which was read a first and second time, laid upon the table to be printed and referred:

To the Committee on Public Improvements:

Senate Joint Resolution No. 6, Joint resolution in favor of changing the name of the highway known as "East Side Road" to "The Wentworth Highway."

Senator Hodgdon offered the following motion, that the rules be further suspended, printing of the joint resolution and reference to the committee dispensed with and the joint resolution ordered to a third reading at the present time.

On a *viva voce* vote the president was in doubt and called for a division.

Twelve senators having voted in the affirmative and two senators having voted in the negative, the affirmative prevailed and the joint resolution was read a third time, passed and sent to the House of Representatives for concurrence.

On motion of Senator Elder, the Senate adjourned.

## AFTERNOON.

## THIRD READINGS.

The following entitled bill was read a third time:

House Bill No. 57 (In New Draft and New Title), An act in amendment of Section 1, Chapter 143, Laws of 1913, as amended by Section 1, Chapter 14, Laws of 1915, relating to the control of self-hunting dogs.

The question being stated: Shall the bill pass?

On a *viva voce* vote the negative prevailed and the bill did not pass.

The following message was received from the House of Representatives by its clerk:

## HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 40 (In New Draft), Joint resolution in aid of the Town of Haverhill in building a bridge across the Connecticut River.

## READ AND REFERRED.

The following Joint resolution sent up from the House of Representatives was read a first and second time and referred:

To the Committee on Finance:

House Joint Resolution No. 40 (In New Draft), Joint resolution in aid of the Town of Haverhill in building a bridge across the Connecticut River.

On motion of Senator Brown the rules were suspended, reference to the committee dispensed with and the foregoing Joint resolution was read a third time and passed.

## INTRODUCTION OF COMMITTEE REPORT.

Senator Ripley moved that the rules be so far suspended as to allow the introduction of the following committee report.

The Committee on Revision of Laws to whom was referred:

House Bill No. 330, An act to authorize the Town of Lebanon to increase its bonded debt, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading to-morrow morning at 11.00 o'clock.

On motion of Senator Ripley, the rules were further suspended and the foregoing entitled bill was read a third time and passed.

On motion of Senator Tripp, the Senate adjourned.

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#### THURSDAY, MARCH 22, 1923.

The Senate met according to adjournment.

#### LEAVE OF ABSENCE.

Senator Brown was granted leave of absence for the day on account of important business.

#### COMMITTEE REPORTS.

Senator Swasey, for the Committee on Education, to whom was referred:

Senate Bill No. 12, An act to require the teaching of the Constitution of the United States in the public and private schools of the State of New Hampshire.

Having considered the same reported the same in new draft and recommended its passage.

The report was accepted and the bill laid upon the table to be printed.

Senator Swasey, for the Committee on Education, to whom was referred:

House Bill No. 204, An act in amendment of Section 1 of Chapter 96 of the Session Laws of 1901 entitled, "An act relating to High Schools, as amended by Chapter 118, Laws of 1903 as amended by Chapter 16, Laws of 1917.

Having considered the same reported the same with the following amendment and recommended its passage:

Amend Section 1 of said bill by striking out the words "seventy-five" in the sixth line and inserting in place thereof the words "sixty-five", and by striking out the words "seventy-five dollars" in the twenty-fourth line and inserting in place thereof the words "sixty-five dollars and in senior high school work only"; so that said section as amended will read as follows:

SECTION 1. Section 1 of Chapter 96 of the Session Laws of 1901 entitled "An act relating to high schools", as amended by Chapter 118 of the session laws of 1903 as amended by Laws of 1917, Chapter 16, is hereby amended by striking out the words "fifty-five" in the last line of the section and substituting the words "sixty-five", so that said section as amended shall read as follows:

SECTION 1. Any town not maintaining a high school or school of corresponding grade shall pay for the tuition of any child who with parents or guardian resides in said town and who attends a high school or academy in the same or another town or city in this State, and the parent or guardian of such child shall notify the school board of the district in which he resides of the high school or academy which he has determined to attend: *Provided, However*, that no town shall be liable for tuition of a child in any school in excess of the average cost per child of instruction for the regularly employed teachers of that school and the cost of text books, supplies and apparatus during the school year preceding, nor in any case shall the town be liable for tuition for any child in excess of sixty-five dollars and in senior high school work only.

The report was accepted, amendment adopted, and the bill ordered to a third reading this afternoon at two o'clock.

#### MAJORITY AND MINORITY REPORT.

Senator Osgood, for a majority of the Committee on Education, to whom was referred Senate Bill No. 9, An act relating to the state board of education, having considered

the same, reported the same in new draft and recommended its passage.

Senator Swasey, for a minority of the Committee on Education, to whom was referred Senate Bill No. 9, An act relating to the state board of education, having considered the same, reported the same with the following amendment and recommended its passage:

Amend said bill by striking out all after the enacting clause and substituting therefor the following:

SECTION 1. Amend Laws of 1921, Chapter 85, Part 1, Section 7, by striking out the entire section and substituting therefor: SECT. 7. The state board, upon nomination of the commissioner, shall appoint and fix the terms of employment of its deputy commissioners and other officers and employees.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

The report of the majority was accepted, and the bill in its new draft was laid upon the table to be printed.

Senator Swasey moved that the report of the minority be substituted for that of the majority, and with that motion pending that the bill be laid upon the table and made a Special Order for next Tuesday morning at 11.01.

The following message was received from the House of Representatives by its clerk:

#### HOUSE MESSAGE.

*Mr. President:*

The House of Representatives refuses to concur with the Honorable Senate in the passage of the following bill:

Senate Bill No. 6 (In New Draft and New Title), An act to amend Chapter 15 of the Session Laws of 1921, An act to insure to the citizens of New Hampshire the benefits of the established standard time.

On motion of Senator Tripp, the Senate voted to request a committee of conference on the foregoing entitled bill, and the President appointed as members of such com-

mittee on the part of the Senate, Senators Tripp, Ham and Jaquith.

Senate Bill No. 8, An act in relation to receiptors for property under attachment.

On motion of Senator Osgood, the Senate voted to request a committee of conference on the foregoing entitled bill, and the President appointed as members of such committee on the part of the Senate, Senators Osgood, Branch and Hammond:

On motion of Senator Tripp, the rules were so far suspended that all business in order for this afternoon at two o'clock was made in order at the present time.

#### THIRD READINGS.

Pursuant to the foregoing motion the following entitled bill was read a third time, passed and sent to the House of Representatives for concurrence in Senate amendment:

House Bill No. 204, An act in amendment of Section 1 of Chapter 96 of the Session Laws of 1901 entitled: "An act relating to High Schools, as amended by Chapter 118, Laws of 1903 as amended by Chapter 16, Laws of 1917."

On motion of Senator Orr, the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourns to meet tomorrow morning at 9.00 o'clock, and when it adjourns Friday morning it be to meet Monday evening at 7.30 o'clock.

On motion of Senator Hurley, the Senate adjourned.

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#### FRIDAY, MARCH 23, 1923.

The Senate met according to adjournment.

There being manifestly no quorum present the President declared the Senate adjourned.

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#### MONDAY, MARCH 26, 1923.

The Senate met according to adjournment.

On motion of Senator Lufkin the Senate adjourned.



## TUESDAY, MARCH 27, 1923.

The Senate met according to adjournment.

The president named the following senators to fill the committee vacancies caused by the death of Senator James H. Hunt.

Committee on Elections, Senator Brown.

Committee on Banks, Senator Rice.

Committee on Military Affairs, Senator Orr.

Committee on Soldiers' Home, Senator Burns.

The president requested Senator Lufkin to assume the chairmanship of the committee on the Soldiers' Home.

Senator Abbott, finding it impossible to devote his entire time to his duties in the Senate, requested the president to excuse him from his committee appointments.

The president named the following senators to fill the committee vacancies:

Committee on Labor, Senator Lane.

Committee on Public Health, Senator Elder.

Committee on Revision of Laws, Senator Holmes.

Committee on the Judiciary, Senator Jaquith.

The president requested Senator Ripley to assume the chairmanship of the Committee on the Judiciary.

## COMMITTEE REPORT.

The following report of the Committee on Engrossed Bills was read and accepted:

## BILLS ENGROSSED.

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolution:

House Bill No. 138, An act to prohibit fishing through the ice in the Town of Stoddard.

House Bill No. 330, An act to authorize the Town of Lebanon to increase its bonded debt.

House Joint Resolution No. 40, Joint resolution in aid of

the Town of Haverhill in building a bridge across the Connecticut River.

Senator Osgood, for the Committee on Engrossed Bills, to whom was referred House Bill No. 160, An act permitting the collection of birds, their nests and eggs, wild animals and fish for scientific purposes, having considered the same, reported the same under Joint Rule No. 6, with the following amendments and recommended its passage:

Amend Section 2 of said act by striking out the word "certificates" in the tenth line and inserting in place thereof the word "certificate"; and by striking out the word "two" in the eleventh line and inserting in place thereof the word "a"; and by striking out the word "institutions" in the eleventh line and inserting in place thereof the word "institution".

Amend Section 4 of said act by striking out the word "it" in the second line and inserting in place thereof the word "he".

The report was accepted, amendments adopted, and the bill sent to the House of Representatives for concurrence in Senate amendments.

Senator Osgood, for the Committee on Engrossed Bills, to whom was referred House Bill No. 247, An act in amendment of Chapter 133, Laws of 1915, as amended by Chapter 184, Laws of 1917, and as amended by Chapter 153, Laws of 1919, relating to fish and game, having considered the same, reported the same under Joint Rule No. 6, with the following amendments and recommended its passage.

Amend the title of said bill by striking out the same and inserting the following title:

"An act relating to the taking of deer."

Amend Section 1 of said act by inserting after the figures "1919" in the third line the words: "and as amended by Section 2, Chapter 140 of the Laws of 1921."

The report was accepted, amendments adopted, and the bill sent to the House of Representatives for concurrence in Senate amendments.

The following message was received from the House of Representatives by its clerk:

## HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills and joint resolution in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 34, Joint resolution for establishing a free bridge in the Town of Monroe.

House Bill No. 94, An act to maintain the purity of butter, cream and dairy products.

House Bill No. 157, An act in amendment of Section 1 of Chapter 56 of the Public Statutes, relating to the taxation of persons and property.

House Bill No. 186, An act in amendment of Chapter 55 of the Laws of 1919, as amended by Chapter 120 of the Laws of 1921, relating to permit fees on motor vehicles.

House Bill No. 213, An act in amendment of the Charter of the Trustees of the Orphan's Home of Concord, approved June 26, 1874, as amended by An act approved March 10, 1897, and in amendment of An act to exempt the Orphan's Home of Concord, New Hampshire, from taxation.

House Bill No. 215, An act in amendment of Chapter 139 of the Laws of 1919, as amended by Chapter 23 of the Laws of 1921, relating to the taxation of street railways.

House Bill No. 335, An act to authorize the County of Coos to issue notes.

House Bill No. 336, An act to legalize the town election held on the thirteenth day of March, 1923, in the Town of Tuftonboro.

House Bill No. 337, An act to legalize the vote and action of the Grafton County Delegation, held on the seventh day of March, 1923.

The message further announced that the House of Representatives had concurred with the Honorable Senate in the passage of the following bills:

Senate Bill No. 14 (In New Draft), An act to amend Section 21 of Chapter 287 of the Public Statutes, as amended by Section 1 of Chapter 78, Laws of 1907 and Section 1 of Chapter 136, Laws of 1919, relating to pay of jurors.

Senate Bill No. 5, An act relating to the fees of sheriffs and deputy sheriffs.

READ AND REFERRED.

The following entitled bills and joint resolution sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on the Judiciary:

House Bill No. 157, An act in amendment of Section 1 of Chapter 56 of the Public Statutes, relating to the taxation of persons and property.

House Bill No. 186, An act in amendment of Chapter 55 of the Laws of 1919 as amended by Chapter 120 of the Laws of 1921, relating to permit fees on motor vehicles.

House Bill No. 335, An act to authorize the County of Coos to issue notes.

House Bill No. 336, An act to legalize the Town Election held on the thirteenth day of March, 1923, in the Town of Tuftonboro.

To the Committee on Revision of Laws:

House Bill No. 213, An act in amendment of the Charter of the Trustees of the Orphan's Home of Concord, approved June 26, 1874, as amended by an act approved March 10, 1897, and in amendment of an act to exempt the Orphan's Home of Concord, New Hampshire, from taxation.

House Bill No. 215, An act in amendment of Chapter 139 of the Laws of 1919 as amended by Chapter 23 of the Laws of 1921, relating to the taxation of street railways.

House Bill No. 337, An act to legalize the vote and action of the Grafton County Delegation, held on the seventh day of March, 1923.

To the Committee on Agriculture:

House Bill No. 94, An act to maintain the purity of butter, cream and dairy products.

To the Committee on Finance:

House Joint Resolution No. 34, Joint resolution for establishing a free bridge in the Town of Munroe.

On motion of Senator Brown, the rules were suspended,

reference to the committee dispensed with, and the foregoing joint resolution was read a third time and passed.

#### FORWARDING OF BILLS.

Senate Bill No. 12 (In New Draft), An act to require the teaching of the Constitution of the United States in the public and private schools of the State of New Hampshire, having been laid upon the table to be printed, was taken from the table and ordered to a third reading this afternoon at 2 o'clock.

#### SPECIAL ORDER.

Senator Osgood called for the Special Order, it being Senate Bill No. 9, An act relating to the State Board of Education.

The question being stated: Shall the report of the minority that the bill ought to pass with amendment be substituted for that of the majority that the bill ought to pass in new draft?

Senator Osgood moved that the Senate resolve itself into a Committee of the Whole for the purpose of considering the following entitled bill:

Senate Bill No. 9, An act relating to the State Board of Education.

The motion prevailed.

#### IN COMMITTEE OF THE WHOLE.

(Senator Orr in the chair.)

#### SENATE.

(The President in the chair.)

#### COMMITTEE REPORT.

Senator Orr, Chairman of the Committee of the Whole, reported that the committee, to whom was referred Senate Bill No. 9, An act relating to the State Board of Education, having considered the same, reported the same with the recommendation that the report of the minority be substituted for that of the majority.

The report was accepted and the bill, with amendment, was ordered to a third reading this afternoon at two o'clock.

On motion of Senator Swasey the Senate adjourned.

### AFTERNOON.

#### THIRD READINGS.

The following entitled bills were severally read a third time and passed:

Senate Bill No. 9, An act relating to the State Board of Education.

Senate Bill No. 12, An act to require the teaching of the Constitution of the United States in the Public and Private Schools of the State of New Hampshire.

On motion of Senator Jenelle, the Senate adjourned.

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WEDNESDAY, MARCH 28, 1923.

The Senate met according to adjournment.

#### COMMITTEE REPORTS.

Senator Coulombe for the Committee on Revision of Laws to whom was referred:

House Bill No. 148, An act in amendment of Section 18, Chapter 119, of the Session Laws of 1921, relating to operating motor vehicles while under the influence of intoxicating liquor.

House Bill No. 253, An act in amendment of Section 19 of Chapter 286 of the public statutes, relating to the salary of the treasurer of Hillsborough County.

House Bill No. 316, An act to authorize towns to raise money towards the support of a resident physician.

House Bill No. 323, An act relative to open air concerts in the City of Manchester.

Senate Bill No. 24, An act to legalize the March meeting held on the 13th day of March 1923 in the Town of Clarksville.

Senate Bill No. 27, An act to change the name of John Young pond in Lyman.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at 2 o'clock.

Senator Coulombe for the Committee on Revision of Laws to whom was referred:

House Bill No. 41, An act to provide for a revision of the Public Laws, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill referred to the Committee on Finance.

Senator Coulombe for the Committee on Revision of Laws to whom was referred:

House Bill No. 220, An act relating to voting on removal of voter, having considered the same, reported the same with the following resolution.

*Resolved*, That it is inexpedient to legislate.

The report of the committee was accepted and the resolution adopted.

The following message was received from the House of Representatives by its clerk:

#### HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 102 (In New Draft) An act to amend Section 1 of Chapter 40 of the Laws of 1911, relating to taxation or assessment of land.

House Bill No. 251, An act in amendment of Sub-division (d), Section 40, Chapter 133, Laws of 1915, relating to Fish and Game.

House Bill No. 276, An act relating to pensioning of employees of the Water Works Department of the City of Manchester.

House Bill No. 299, An act relating to Antwerp or Homing pigeons.

House Bill No. 310, An act in amendment of Section 13, Chapter 128, Laws of 1909, as amended by Chapter 166, Laws of 1911, as amended by Chapter 142, Laws of 1915, relating to the burning of brush by permit.

House Bill No. 311, An act in amendment of Section 15, Chapter 128, Laws of 1909, as amended by Chapter 166, Laws of 1911, relating to the power of arrest for violation of forest laws.

House Bill No. 312, An act in amendment of Section 1, Chapter 95, Laws of 1911, as amended by Chapter 159, Laws of 1917, relating to the use of spark arresters on portable saw-mills.

House Bill No. 328, An act to amend Section 1 of Chapter 159 of the Laws of 1920, relating to the purchase of legislative supplies.

House Bill No. 341, An act relating to pensions of employees of the City of Manchester.

House Bill No. 346, An act relating to the taxation of national bank stock.

The message further announced that the House of Representatives refused to concur with the Honorable Senate in its amendment to the following House Bill:

House Bill No. 204, An act in amendment of Section 1 of Chapter 96 of the Session Laws of 1901, entitled: "An act relating to high schools," as amended by Chapter 118, Laws of 1903, as amended by Chapter 16, Laws of 1917, and has voted to request a committee on conference to further consider said amendment, and pursuant to the vote, the Speaker has appointed Messrs. Lyford of Concord, Duncan of Jaffrey, and Barry of Nashua, as conferees on the part of the House.

On motion of Senator Swasey, the Senate voted to grant the request of the House of Representatives for a Committee of Conference on the foregoing entitled bill.

The president appointed as members of such committee on the part of the Senate, Senators Swasey, Rice and Hammond.



## READ AND REFERRED.

The following entitled bills sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on the Judiciary:

House Bill No. 102 (In New Draft) An act to amend Section 1 of Chapter 40 of the Laws of 1911, relating to taxation or assessment of land.

House Bill No. 276, An act relating to pensioning of employees of the Water Works Department of the City of Manchester.

House Bill No. 328, An act to amend Section 1, of Chapter 159, of the Laws of 1920, relating to the purchase of legislative supplies.

House Bill No. 341, An act relating to pensions of employees of the City of Manchester.

To the Committee on Forestry:

House Bill No. 310, An act in amendment of Section 13, Chapter 128, Laws of 1909, as amended by Chapter 156, Laws of 1911, as amended by Chapter 142, Laws of 1915; relating to the burning of brush by permit.

House Bill No. 311, An act in amendment of Section 15, Chapter 128, Laws of 1909, as amended by Chapter 166, Laws of 1911 relating to the power of arrest for violation of forest laws.

House Bill No. 312, An act in amendment of Section 1, Chapter 95, Laws of 1911, as amended by Chapter 159, Laws of 1917 relating to the use of spark arresters on portable saw mills.

To the Committee on Fisheries and Game:

House Bill No. 251, An act in amendment of sub-division (d) Section 40, Chapter 133, Laws of 1915 relating to Fish and Game.

House Bill No. 299, An act relating to Antwerp or Homing Pigeons.

To the Committee on Banks:

House Bill No. 346, An act relating to the taxation of national bank stock.

On motion of Senator Orr, the Senate adjourned.

## AFTERNOON.

## THIRD READINGS.

The following entitled bills were severally read a third time and passed.

House Bill No. 148, An act in amendment of Section 18, Chapter 119, of the Session Laws of 1921, relating to operating motor vehicles while under the influence of intoxicating liquor.

House Bill No. 316, An act to authorize towns to raise money towards the support of a resident physician.

House Bill No. 323, An act relative to open air concerts in the City of Manchester.

The following entitled bill was read a third time.

House Bill No. 253, An act in amendment of Section 19 of Chapter 286 of the Public Statutes, relating to the salary of the treasurer of Hillsborough County.

The question being stated: Shall the bill pass?

(Discussion ensued.)

On a *viva voce* vote the president was in doubt and called for a division.

Seventeen senators having voted in the affirmative and one senator having voted in the negative, the affirmative prevailed and the bill passed.

The following entitled bill was read a third time, passed and sent to the House of Representatives for concurrence.

Senate Bill No. 24, An act to legalize the March meeting held on the 13th day of March, 1923 in the Town of Clarks-ville.

The following entitled bill was read a third time:

Senate Bill No. 27, An act to change the name of John Young Pond in Lyman.

The question being stated: Shall the bill pass?

On a *viva voce* vote the president was in doubt.

Senator Ham demanded a roll call.

The clerk proceeded to call the roll.

The following named senators voted in the affirmative:

Senators Ripley, Brown, Hammond, Lufkin, Holmes, Lane, Tripp, Orr, Janelle, Elder.

The following named senators voted in the negative:

Senators Coulombe, Burns, Jaquith, Rice, Hagerty, Branch, Osgood, Ham, Hodgdon.

Ten senators having voted in the affirmative and nine senators having voted in the negative, the affirmative prevailed and the bill passed and was sent to the House of Representatives for concurrence.

#### INTRODUCTION OF COMMITTEE REPORT.

On motion of Senator Ripley, the rules were so far suspended as to allow the introduction of the following committee report:

The Committee on Revision of Laws, to whom was referred House Bill No. 337, An act to legalize the vote and action of the Grafton County Delegation, held on the seventh day of March, 1923, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading tomorrow morning at eleven o'clock.

On motion of Senator Ripley, the rules were suspended and the foregoing entitled bill was read a third time and passed.

On motion of Senator Brown the Senate adjourned.

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#### THURSDAY, MARCH 29, 1923.

The Senate met according to adjournment.

#### COMMITTEE REPORTS.

Senator Tripp for the Committee on Agriculture to whom was referred:

House Bill No. 66 (In New Draft), An act relating to trespasses upon improved land.

House Bill No. 107 (In New Draft), An act relating to the sale of farm produce.

Having considered the same reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at 2 o'clock.

The following message was received from the House of Representatives by its clerk:

HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 53, An act in amendment of Chapter 4 of the Laws of 1919, as passed by the Special Session of the Legislature in September 1919, relating to poll tax.

House Bill No. 143, An act relating to the supervision of police affairs in cities.

House Bill No. 189, An act to authorize the granting of special licenses as hawkers and peddlers to disabled veterans of the World War.

House Bill No. 234, An act in amendment of Chapter 70 of the Laws of 1921, entitled: "An act imposing a tax upon the transfer at death of the personal property of non-residents."

House Bill No. 318, An act relating to the powers and duties of the Commissioner of Fish and Game.

House Bill No. 322, An act to amend paragraph (a) Section 16, Chapter 133, Laws of 1915, as amended by Section 11, Chapter 152, Laws of 1919, relating to gray squirrels.

House Bill No. 342, An act authorizing the Enfield Village Fire District to renew and extend its water bonds.

House Bill No. 347, An act legalizing the annual School District meeting for the Town of Holderness on the 13th day of March, 1923.

The message further announced that the House of Representatives has concurred with the Senate in the adoption of the amendments of the Committee on Engrossed Bills to the following House Bills:

House Bill No. 160, An act permitting the collection of birds, their nests and eggs, wild animals and fish, for scientific purposes.

House Bill No. 247, An act in amendment of Chapter 133, Laws of 1915, as amended by Chapter 184 of Laws of 1917, and as amended by Chapter 153, Laws of 1919, relating to fish and game.

#### READ AND REFERRED.

On motion of Senator Hodgdon, the rules were so far suspended that the following entitled bills sent up from the House of Representatives were severally read a first and second time by title and referred:

To the Committee on the Judiciary:

House Bill No. 53, An act in amendment of Chapter 4 of the Laws of 1919, as passed by the Special Session of the Legislature in September 1919, relating to poll tax.

House Bill No. 143, An act relating to the supervision of the Police affairs in cities.

House Bill No. 234, An act in amendment of Chapter 70 of the Laws of 1921 entitled "An act imposing a tax upon the transfer at death of the personal property of non-residents."

House Bill No. 342, An act authorizing the Enfield Village Fire District to renew and extend its water bonds.

House Bill No. 347, An act legalizing the annual school district meeting for the town of Holderness on the 13th day of March, 1923.

To the Committee on Revision of Laws:

House Bill No. 189, (In New Draft and New Title), An act to authorize the granting of special licenses as hawkers and peddlers to disabled veterans of the World War.

To the Committee on Fisheries and Game:

House Bill No. 318, An act relating to the powers and duties of the Commissioner of Fish and Game.

House Bill No. 322, An act to amend paragraph (a) Section 16, Chapter 133, Laws of 1915, as amended by Section 11, Chapter 152, Laws of 1919, relating to gray squirrels.

## INTRODUCTION OF COMMITTEE REPORT.

On motion of Senator Elder the rules were so far suspended as to allow the introduction of the following committee report:

The Committee on Banks, to whom was referred House Bill No. 346, An act relating to the taxation of National Bank stock, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

On motion of Senator Orr, the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

Pursuant to the foregoing motion and on motion of Senator Ham, the rules were further suspended, and the following bills were severally read a third time by title and passed:

House Bill No. 66 (New Draft), An act relating to Trespass upon Improved Land.

House Bill No. 107 (New Draft), An act relating to the Sale of Farm Produce.

House Bill No. 346, An act relating to the taxation of National Bank stock.

On motion of Senator Brown the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9.00 o'clock, and when it adjourns Friday morning it be to meet Monday evening at 7.30 o'clock.

On motion of Senator Burns the Senate adjourned.

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FRIDAY, MARCH 30, 1923.

The Senate met according to adjournment.

Senator Orr having assumed the chair read the following communication:

Concord, N. H., Friday, March 30, 1923.

*Senator Orr:*

Please preside for me at today's session of the New Hampshire Senate, and oblige,

WESLEY ADAMS,  
*President.*

There being manifestly no quorum present Senator Orr declared the Senate adjourned.

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MONDAY, APRIL 2, 1923.

The Senate met according to adjournment.

Senator Orr, having assumed the Chair read the following communication:

*Senator Orr:*

Please preside for me at to-night's session of the New Hampshire Senate, and oblige,

WESLEY ADAMS,  
*President.*

On motion of Senator Ripley the Senate adjourned.

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TUESDAY, APRIL 3, 1923.

The Senate met according to adjournment.

#### COMMITTEE REPORTS.

Senator Ham for the Committee on Public Improvements, to whom was referred House Bill No. 4, An act repealing Section 2 of Chapter 55 of the Public Statutes, relating to the exemption from taxation of manufacturing establishments, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

Senator Elder for the Committee on Banks, to whom was referred House Bill No. 294, An act in amendment of Chap-

ter 109, Session Laws of 1915, entitled, An act to provide for the incorporation and management of Trust Companies and similar corporations, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

The following report from the Committee on Engrossed Bills was read and accepted:

#### BILLS ENGROSSED.

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bill and Joint resolution:

House Bill No. 337, An act to legalize the vote and action of the Grafton County Delegation held on the seventh day of March, 1923.

House Joint Resolution No. 34, Joint resolution for establishing a free bridge in the Town of Monroe.

The following message was received from the House of Representatives by its clerk:

#### HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 269, An act in amendment of Sub-section 6 of Section 7 of Chapter 55 of the Public Statutes, relating to the taxation of stock in trade.

House Bill No. 348, An act to amend the charter of the Concord Masonic Association.

The message further announced that the House of Representatives had concurred with the Senate in the passage of the following bill:

Senate Bill No. 23, An act to authorize the Governor to accept gifts of personal property to the State.

The message also announced that the House of Repre-



sentatives had voted to adopt the amendments of the Committee on Engrossed Bills to the following Senate bills, in the adoption of which it asks the concurrence of the Honorable Senate:

Senate Bill No. 14, An act to amend Section 21 of Chapter 287 of the Public Statutes, as amended by Section 1 of Chapter 78, Laws of 1907, and Section 1 of Chapter 136, Laws of 1919, relating to pay of jurors.

Amend Section 1 of said bill by inserting after the word "jurors" in the fourth line thereof the words "when attending Court away from home," and by striking out in the seventh line thereof the words "clerk of."

Senate Bill No. 5, An act relating to the fees of sheriffs and deputy sheriffs.

Amend Section 1 of said bill by striking out the whole thereof and inserting in place thereof the following:

SECTION 1. Amend Section 16, Chapter 287 of the Public Statutes, as amended by Section 1, Chapter 80, Laws of 1901, Section 1, Chapter 63, Laws of 1907, Section 1, Chapter 70, Laws of 1909, Chapters 44 and 102, Laws of 1917, and Chapter 114, Laws of 1919, by striking out the words "three" and "four" in the sixth sentence of said section and inserting in place of each the word five, so that said section shall read as follows: SECT. 16. The fees of sheriffs and deputy sheriffs shall be as follows: For the service of every writ, subpoena for every witness named therein, process, notice, or execution, fifty cents. For making an attachment of personal property upon a writ returnable to the Superior Court, one dollar; upon a writ returnable to a justice of the peace or a police court, fifty cents. For taking bail, to be paid by the person bailed, fifty cents. For actual travel to serve any writ, notice, subpoena process, or execution, to be reckoned from the place of service to the residence of the officer, in no case exceeding fifty miles, and for travel to attend any court, by the order thereof, to be reckoned from the residence of the officer to the court, each mile, each way, ten cents. For levying executions on the dollar, for the first hundred dollars levied, three cents; for

the residue of the sum levied above one hundred and not exceeding three hundred dollars, two cents; for the residue of the sum levied above three hundred dollars, one cent. For each day's actual attendance at the Supreme or Superior Court by order thereof, to be paid out of the county treasury, the sheriff, each day, five dollars; each deputy, five dollars, to be audited and allowed by the court. For attending before a justice or police court, on trials where his presence is required, each day, one dollar. For making copies of writs returnable to the Superior Court, each, one dollar, and for making copies of writs returnable to police or justice courts, each, fifty cents. For leaving the copy and return required in the attachment of real estate at the dwelling-house or office of a town or city clerk, fifty cents.

On motion of Senator Branch the Senate voted to concur with the House of Representatives in the foregoing amendments to the above entitled bills.

#### READ AND REFERRED.

The following bills sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on the Judiciary:

House Bill No. 269, An act in amendment of sub-section 6 of Section 7 of Chapter 55 of the Public Statutes relating to the taxation of stock in trade.

To the Committee on Incorporations:

House Bill No. 348, An act to amend the charter of the Concord Masonic Association.

On motion of Senator Elder the Senate adjourned.

#### AFTERNOON.

#### THIRD READINGS.

The following entitled bills were severally read a third time and passed:

House Bill No. 4, An act repealing Section 11 of Chapter 55 of the Public Statutes relating to the Exemption from Taxation of Manufacturing Establishments.

House Bill No. 294, An act in amendment of Chapter 109, Session Laws of 1915, An act to provide for the Incorporation and Management of Trust Companies and Similar Corporations.

#### INTRODUCTION OF BILL.

Senator Osgood, under a suspension of the rules, sixteen Senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed, and referred:

To the Committee on the Judiciary: .

Senate Bill No. 29, An act in amendment of Section 3, Chapter 187 of the Session Laws for the Year 1913, relating to the Registration of Foreign Corporations.

On motion of Senator Tripp, the Senate adjourned.

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#### WEDNESDAY, APRIL 4, 1923.

The Senate met according to adjournment.

#### COMMITTEE REPORTS.

Senator Ripley, for the Committee on the Judiciary, to whom was referred:

House Bill No. 102 (In New Draft), An act to amend Section 1 of Chapter 40 of the Laws of 1911, relating to taxation or assessment of land.

House Bill No. 113 (In New Draft), An act relative to the official bond of the treasurer of Hillsborough County.

House Bill No. 186, An act in amendment of Chapter 55 of the Laws of 1919, as amended by Chapter 120 of the Laws of 1921, relating to permit fees on motor vehicles.

House Bill No. 335, An act to authorize the County of Coos to issue bonds.

House Bill No. 336, An act to legalize the town election held on the thirteenth day of March, 1923, in the Town of Tuftonboro.

Having considered the same reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at 2 o'clock.

Senator Ripley, for the Committee on the Judiciary, to whom was referred House Bill No. 328, An act to amend Section 1 of Chapter 159 of the Laws of 1921, relating to the purchase of legislative supplies, having considered the same reported the same in new draft and recommended its passage.

The report was accepted and the bill laid upon the table to be printed.

On motion of Senator Brown the rules were suspended, printing dispensed with and the bill ordered to a third reading this afternoon at 2 o'clock.

Senator Ripley for the Committee on the Judiciary to whom was referred:

House Bill No. 75, An act relating to deceptive or misleading advertisements, publications or statements, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report of the committee was accepted and the resolution adopted.

House Bill No. 157, An act in amendment of Section 1 of Chapter 56 of the Public Statutes relating to the taxation of persons and property, having considered the same reported the same with the following resolution.

*Resolved*, That it is inexpedient to legislate.

The report of the committee was accepted and the resolution adopted.

Senator Coulombe for the Committee on Revision of Laws to whom was referred:

House Bill No. 213, An act in amendment of the Charter of the Trustees of the Orphans Home of Concord, Approved June 26, 1874, as amended by an act approved March 10, 1897, and in amendment of an act to exempt the Orphans' Home of Concord, New Hampshire from Taxation.

House Bill No. 215, An act in amendment of Chapter 139

of the Laws of 1919 as amended by Chapter 23 of the Laws of 1921 relating to the taxation of street railways.

Having considered the same reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at 2 o'clock.

Senator Coulombe for the Committee on Revision of Laws to whom was referred:

House Bill No. 189 (In New Draft and New Title), An act to authorize the granting of special licenses as hawkers and peddlers to disabled veterans of the World War, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report of the committee was accepted and the resolution adopted.

Senator Burns for the Committee on Forestry to whom was referred:

House Bill No. 159, An act for the protection of woodlands from fire during periods of protracted drought.

House Bill No. 311, An act in amendment of Section 15, Chapter 128, Laws of 1909, as amended by Chapter 166, Laws of 1911, relating to the power of arrest for violation of forest laws.

Having considered the same reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at 2 o'clock.

#### MAJORITY AND MINORITY REPORTS.

Senator Ripley, for a majority of the Committee on the Judiciary, to whom was referred House Bill No. 118, An act in relation to the Finance Commission for the City of Manchester, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

Senator Osgood, for a minority of the Committee on the Judiciary, to whom was referred House Bill No. 118, An act

in relation to the Finance Commission for the City of Manchester, having considered the same reported the same without amendment and recommended its passage.

The report of the majority was accepted.

Senator Osgood moved that the report of the minority be substituted for that of the majority.

On a *viva voce* vote the negative prevailed and the motion was lost.

Senator Osgood demanded a roll-call.

The clerk proceeded to call the roll.

The following named Senators voted in the affirmative: Senators Coulombe, Tripp, Osgood, Hurley, Janelle.

The following named Senators voted in the negative:

Senators Ripley, Burns, Brown, Hammond, Jaquith, Lufkin, Holmes, Rice, Lane, Orr, Ham, Elder, Swasey, Hodgdon.

Five Senators having voted in the affirmative and fourteen Senators having voted in the negative, the negative prevailed and the motion to substitute was lost.

The question being stated: Shall the resolution of the committee, that it is inexpedient to legislate, be adopted?

On a *viva voce* vote the affirmative prevailed and the resolution was adopted.

Senator Ripley, for a majority of the Committee on the Judiciary, to whom was referred House Bill No. 115, An act to provide that the Tax Assessors of the City of Manchester shall be elected by direct vote of the citizens, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

Senator Osgood, for a minority of the Committee on the Judiciary, to whom was referred House Bill No. 115, An act to provide that the Tax Assessors of the City of Manchester shall be elected by direct vote of the citizens, having considered the same, reported the same without amendment and recommended its passage.

The report of the majority was accepted.

Senator Hurley moved that the report of the minority be substituted for that of the majority.

On a *viva voce* vote the negative prevailed and the motion to substitute was lost.

Senator Janelle demanded a roll call.

The following named Senators voted in the affirmative:

Senators Coulombe, Hagerty, Tripp, Osgood, Hurley, Janelle, Ham.

The following named Senators voted in the negative:

Senators Ripley, Burns, Brown, Hammond, Jaquith, Lufkin, Holmes, Rice, Lane, Orr, Elder, Swasey, Hodgdon.

Seven Senators having voted in the affirmative and thirteen Senators having voted in the negative, the negative prevailed and the motion to substitute was lost.

The question being stated: Shall the resolution of the committee that it is inexpedient to legislate be adopted?

On a *viva voce* vote the affirmative prevailed and the resolution was adopted.

The following report of the Committee on Engrossed Bills was read and accepted:

#### BILLS ENGROSSED.

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 5, An act relating to the fees of sheriffs and deputy sheriffs.

Senate Bill No. 14, An act to amend Section 21 of Chapter 287 of the Public Statutes, as amended by Section 1 of Chapter 78, Laws of 1907, and Section 1 of Chapter 136, Laws of 1919, relating to pay of jurors.

Senate Bill No. 23, An act to authorize the Governor to accept gifts of personal property to the State.

House Bill No. 66, An act relating to trespasses upon improved land.

House Bill No. 148, An act in amendment of Section 18, Chapter 119, of the Session Laws of 1921, relating to operating motor vehicles while under the influence of intoxicating liquor.

House Bill No. 160, An act permitting the collection of

birds, their nests and eggs, wild animals and fish, for scientific purposes.

House Bill No. 247, An act relating to the taking of deer.

House Bill No. 316, An act to authorize towns to raise money towards the support of a resident physician.

House Bill No. 323, An act relating to open air concerts in the City of Manchester.

House Bill No. 346, An act relating to the taxation of national bank stock.

The following message was received from the House of Representatives by its Clerk:

HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 141, An act in amendment of Chapter 133, Laws of 1915, relating to fish and game.

House Bill No. 352, An act to legalize the annual meeting of the Conway Village Fire District held on the twenty-sixth day of March 1923.

House Bill No. 302, An act to regulate the shipment of live stock.

READ AND REFERRED.

The following entitled bills sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Fisheries and Game:

House Bill No. 141, An act in amendment of Chapter 133, Laws of 1915, relating to Fish and Game.

To the Committee on Agriculture:

House Bill No. 302 (In New Draft), An act to regulate the shipment of live stock.

To the Committee on the Judiciary:

House Bill No. 352, An act to legalize the annual meeting of the Conway Village Fire District held on the twenty-sixth day of March, 1923.



## INTRODUCTION OF A COMMITTEE BILL.

The Committee on the Judiciary, having considered the subject-matter, reported the following entitled new bill and recommended its passage:

Senate Bill No. 30, An act legalizing the votes and proceedings of the town meeting held in Lebanon in March, 1923, relative to issuing bonds.

The above entitled bill was read a first and second time and laid upon the table to be printed under the rules.

On motion of Senator Osgood, the rules were suspended, printing dispensed with, and the bill ordered to a third reading this afternoon at two o'clock.

On motion of Senator Elder, the Senate adjourned.

## AFTERNOON.

## THIRD READINGS.

The following entitled bills were severally read a third time and passed:

House Bill No. 102 (In New Draft), An act to amend Section 1 of Chapter 40 of the Laws of 1911, relating to taxation or assessment of land.

House Bill No. 113 (In New Draft), An act relative to the official bond of the treasurer of Hillsborough County.

House Bill No. 159, An act for the protection of woodlands from fire during periods of protracted drought.

House Bill No. 186, An act in amendment of Chapter 55 of the Laws of 1919, as amended by Chapter 120 of the Laws of 1921, relating to permit fees on motor vehicles.

House Bill No. 213, An act in amendment of the charter of the trustees of the Orphans' Home of Concord, approved June 26, 1874, as amended by An act approved March 10, 1897, and in amendment of An act to exempt the Orphans' Home of Concord, New Hampshire, from taxation.

House Bill No. 215, An act in amendment of Chapter 139 of the Laws of 1919, as amended by Chapter 23 of the Laws of 1921, relating to the taxation of street railways.

House Bill No. 335, An act to authorize the County of Coos to issue notes.

House Bill No. 336, An act to legalize the town election held on the thirteenth day of March, 1923, in the Town of Tuftonboro.

The following entitled bill was read a third time, passed and sent to the House of Representatives for concurrence:

Senate Bill No. 30, An act legalizing the votes and proceedings of the town meetings held in Lebanon in March, 1923, relative to issuing bonds.

The following entitled bills were severally read a third time:

House Bill No. 311, An act in amendment of Section 15, Chapter 128, Laws of 1909, as amended by Chapter 166, Laws of 1911, relating to the power of arrest for violation of forest laws.

The question being stated: Shall the bill pass?

On a *viva voce* vote the negative prevailed and the bill did not pass.

House Bill No. 328 (In Senate New Draft), An act to amend Section 1 of Chapter 159 of the Laws of 1921, relating to the purchase of legislative supplies.

The question being stated: Shall the bill pass?

On a *viva voce* vote the negative prevailed and the bill did not pass.

Senator Hurley, under a suspension of the rules, sixteen senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred to the Committee on Labor:

Senate Bill No. 31, An act in amendment of Section 1 of Chapter 156 of the Laws of 1913, as amended by Section 1 of Chapter 196 of the Laws of 1917.

On motion of Senator Ripley, the Senate adjourned.

## THURSDAY, APRIL 5, 1923.

The Senate met according to adjournment.

## LEAVES OF ABSENCE.

Senator Burns was granted leave of absence for the day in order to attend a funeral.

Senator Brown was granted leave of absence for the day on account of important business.

## COMMITTEE REPORTS.

Senator Osgood for the Committee on the Judiciary to whom was referred:

House Bill No. 234, An act in amendment of Chapter 70, of the Laws of 1921, entitled, "An act imposing a tax upon the transfer at death of the personal property of non-residents.

House Bill No. 341, An act relating to pensions of employees of the city of Manchester.

House Bill No. 342, An act authorizing the Enfield Village Fire District to renew and extend its water bonds.

House Bill No. 347, An act legalizing the annual school district meeting for the Town of Holderness on the 13th day of March, 1923.

Having considered the same reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at 2 o'clock.

Senator Osgood for the Committee on the Judiciary to whom was referred:

House Bill No. 269, An act in amendment of Sub-section 6, of Section 7, of Chapter 55, of the Public Statutes relating to the taxation of stock in trade, having considered the same reported the same with the following resolution.

*Resolved*, That it is inexpedient to legislate.

The report of the committee was accepted and the resolution adopted.

Senator Tripp for the Committee on Agriculture to whom was referred:

House Bill No. 94, An act to maintain the purity of butter, cream and dairy products, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

Senator Hodgdon for the Committee on Public Health to whom was referred:

House Bill No. 252, An act in amendment of Section 4, Chapter 76, Laws of 1895, relating to the protection from pollution of sources of water used for domestic purposes, having considered the same reported the same with the following amendment and recommended its passage.

Amend SECTION 1, of the bill by striking out the word "or" in the 5th line and in the 9th line and inserting in place thereof, the word "and" so that said section as amended shall read as follows:

SECTION 1. Amend Section 4, Chapter 76, Laws of 1895, by striking out the words "one-fourth of a mile of the point where said water is taken", and substituting in place thereof the following: "the limits prescribed for the protection of said water supply by the local and state board of health", so that said section as amended shall read as follows:

If any person shall bathe in such lake, pond, or reservoir within the limits prescribed for the protection of said water supply by the local and state board of health, he shall be fined not exceeding twenty dollars or imprisoned not exceeding six months.

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in Senate amendment.

Senator Hagerty for the Committee on Military Affairs to whom was referred:

Senate Joint Resolution No. 4, Joint resolution in favor of Euclide and Marie Halde, parents of Wilfred X. Halde, formerly Private, Battery "B" 172nd Field Artillery New

Hampshire National Guard: Killed September 23, 1922, at Concord, New Hampshire, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the joint resolution referred to the Committee on Finance.

#### MAJORITY AND MINORITY REPORT.

Senator Ripley for a majority of the Committee on the Judiciary to whom was referred House Bill No. 143, An act relating to the supervision of police affairs in cities, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

Senator Osgood for a minority of the Committee on the Judiciary to whom was referred House Bill No. 143, An act relating to the supervision of police affairs in cities, having considered the same, reported the same without amendment and recommended its passage.

The report of the majority was accepted.

Senator Osgood moved that the report of the minority be substituted for the report of the majority, and with that motion pending that the bill be laid upon the table and made a Special Order for next Wednesday morning at 11.01.

The following report of the Committee on Engrossed Bills was read and accepted.

#### BILLS ENGROSSED.

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 4, An act repealing Section 11 of Chapter 55 of the Public Statutes, relating to the exemption from taxation of manufacturing establishments.

House Bill No. 294, An act in amendment of Chapter 109, Session Laws of 1915, "An act to provide for the incorporation and management of trust companies and similar corporations."

The following message was received from the House of Representatives by its clerk.

HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills and House Joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 76, An act in amendment of Section 16 of Chapter 155, Laws of 1921, relating to the permanent construction of highway bridges throughout the State.

House Bill No. 242, An act relating to the vaccination of school children.

House Bill No. 332, An act to provide that the fire commissioners of the City of Manchester be elected by the people.

House Bill No. 338, An act to provide that the highway commissioners of the City of Manchester be elected by the people.

House Bill No. 343, An act to provide that the park commissioners of the City of Manchester be elected by the people.

House Bill No. 357, An act to legalize the vote and proceedings at the annual town meeting holden in Colebrook, March, 1921, relating to exemption from taxation Dr. Kerr's hospital.

House Bill No. 358, An act to authorize the school district of the Town of Claremont to raise and appropriate money at a special meeting thereof.

House Bill No. 361, An act in amendment of Chapter 177, Laws of 1885, as amended by Chapter 199 of the Laws of 1895, Chapter 153 of the Laws of 1897, Chapter 199 of the Laws of 1899, and Chapter 182 of the Laws of 1901, being the charter of the Manchester Traction, Light & Power Co.

House Joint Resolution No. 24, Joint resolution in favor of George I. Philbrick.

House Joint Resolution No. 51, Joint resolution in favor

of the Margaret Pillsbury General Hospital and Dr. James W. Jameson.

House Joint Resolution No. 56, Joint resolution in favor of Henry Giddis.

The message further announced that the House of Representatives had concurred with the Senate in the passage of the following bills:

Senate Bill No. 18, An act to change the name of Nelson Aldrich Edgell to that of Stephen Maurice Edgell.

Senate Bill No. 20, An act to provide for increase of salary for sheriff of Hillsborough County.

Senate Bill No. 24, An act to legalize the March meeting held on the 13th day of March 1923, in the Town of Clarks-ville.

Senate Bill No. 30, An act legalizing the votes and proceedings of the town meetings held in Lebanon in March 1923, relative to issuing bonds.

The message also announced that the House of Representatives refused to concur with the Senate in the passage of the following bill:

Senate Bill No. 22, An act in amendment of Section 3, Chapter 24 of the Public Statutes, relating to the County Convention.

#### READ AND REFERRED.

On motion of Senator Ripley the rules were suspended and the following entitled bills sent up from the House of Representatives were severally read a first and second time by title and referred:

To the Committee on the Judiciary:

House Bill No. 332, An act to provide that the Fire Commissioners of the City of Manchester be elected by the people.

House Bill No. 338, An act to provide that the Highway Commissioners of the City of Manchester be elected by the people.

House Bill No. 343, An act to provide that the Park Com-

missioners of the City of Manchester be elected by the people.

House Bill No. 357, An act to legalize the vote and proceedings at the annual town meeting holden in Colebrook, March 1921, relating to exemption from taxation Dr. Kerr's hospital.

House Bill No. 358, An act to authorize the School District of the Town of Claremont to raise and appropriate money at a special meeting thereof.

House Bill No. 361, An act in amendment of Chapter 177, Laws of 1885, as amended by Chapter 199 of the Laws of 1895, Chapter 153 of the Laws of 1897, Chapter 199 of the Laws of 1899, and Chapter 182 of the Laws of 1901, being the Charter of the Manchester Traction, Light & Power Co.

To the Committee on Public Health:

House Bill No. 242, An act relating to the vaccination of school children.

To the Committee on Roads, Bridges and Canals:

House Bill No. 76, An act in amendment of Section 16 of Chapter 155, Laws of 1921, relating to the permanent construction of highway bridges throughout the State.

The following joint resolutions sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Claims:

House Joint Resolution No. 24, Joint resolution in favor of George I. Philbrick.

House Joint Resolution No. 51, Joint resolution in favor of the Margaret Pillsbury General Hospital and Dr. James W. Jameson.

House Joint Resolution No. 56, Joint resolution in favor of Henry Giddis.

#### INTRODUCTION OF A COMMITTEE BILL.

The Committee on Education, having considered the subject-matter, reported the following entitled new bill and recommended its passage:



Senate Bill No. 32, An act to provide safety exit facilities for school houses.

The above entitled bill was read a first and second time and laid upon the table to be printed under the rules.

#### INTRODUCTION OF A BILL.

Senator Osgood, under a suspension of the rules, sixteen senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed, and referred:

To the Committee on the Judiciary:

Senate Bill No. 33, An act relative to the official bond of the treasurer of counties.

On motion of Senator Holmes, the rules were suspended and all business in order for two o'clock this afternoon was made in order at the present time.

#### THIRD READINGS.

Pursuant to the foregoing motion the following entitled bills were severally read a third time and passed:

House Bill No. 94, An act to maintain the purity of butter, cream and dairy products.

House Bill No. 234, An act in amendment of Chapter 70 of the Laws of 1921, entitled "An act imposing a tax upon the transfer at death of the personal property of non-residents.

House Bill No. 252, An act in amendment of Section 4, Chapter 76, Laws of 1895, relating to the protection from pollution of sources of water used for domestic purposes.

House Bill No. 341, An act relating to pensions of employees of the City of Manchester.

House Bill No. 342, An act authorizing the Enfield Village Fire District to renew and extend its water bonds.

House Bill No. 347, An act legalizing the annual school district meeting for the Town of Holderness on the 13th day of March, 1923.

On motion of Senator Lufkin the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet tomorrow morning at 9.00 o'clock, and when it adjourns Friday morning it be to meet Monday evening at 7.30 o'clock.

On motion of Senator Hodgdon the Senate adjourned.

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FRIDAY, APRIL 6, 1923.

The Senate met according to adjournment.

Senator Orr, having assumed the chair, read the following communication:

CONCORD, N. H., APRIL 6, 1923.

*Senator Orr:*

Please preside for me at to-day's session of the New Hampshire Senate, and oblige.

WESLEY ADAMS,  
*President.*

There being manifestly no quorum present, Senator Orr declared the Senate adjourned.

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MONDAY, APRIL 9, 1923.

The Senate met according to adjournment.

On motion of Senator Orr, the Senate adjourned.

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TUESDAY, APRIL 10, 1923.

The Senate met according to adjournment.

The following message was received from the House of Representatives by its clerk:

HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 154, An act declaring pumps and tanks employed in the distribution and sale of gasoline and other motor vehicle fuels to be subject to taxation.

House Bill No. 267, An act to amend Chapter 38, Laws of 1913, An act for the bi-weekly payment for all State employees except salaried officers.

House Bill No. 281 (New Draft and New Title), An act in amendment of Sub-division (a) Section 14 Chapter 133, Laws of 1915, as amended by Section 5, Chapter 184 of the Laws of 1917, as amended by Section 3, Chapter 152, Laws of 1919 as amended by Section 1, Chapter 141, Laws of 1921, relating to open season on deer.

House Bill No. 284 (New Draft), An act to regulate bakeries and bakery products.

House Bill No. 297, An act in amendment of Section 13, of Chapter 192 of the Public Statutes, relating to the reports of commissioners.

House Bill No. 298, An act in amendment of Section 1 of Chapter 192 of the Public Statutes relating to the acceptance of Commissioner's reports.

House Bill No. 314, An act in amendment of Section 2, Chapter 120, Laws of 1909, relating to sentence to the State Prison.

House Bill No. 356, An act relating to the issue of bonds by the school district of the Town of Salem.

House Bill No. 345, An act relating to shade trees in highways and other public places.

House Bill No. 362, An act to authorize the Woodsville Fire District of the Town of Haverhill to exceed its limit of bonded indebtedness as fixed by Chapter 129, Laws of 1917, and to issue serial notes or bonds.

House Bill No. 363, An act in amendment of the Charter of the City of Somersworth.

The message further announced that the House of Representatives had concurred with the Senate in the passage of the following bills:

Senate Bill No. 16, An act for the punishment of persons issuing worthless checks.

Senate Bill No. 27, An act to change the name of John Young Pond in Lyman.

Senate Bill No. 30, An act legalizing the votes and proceedings of the town meeting held in Lebanon in March, 1923, relative to issuing bonds.

The message also announced that the House of Representatives had concurred with the Senate in the passage of the following bill with an amendment in the adoption of which it asks the concurrence of the Honorable Senate:

Senate Bill No. 12, An act to require the teaching of the Constitution of the United States in the Public and Private Schools of the State of New Hampshire.

Amend the title by striking out the whole and inserting in place thereof the following:

An act to require the teaching of the Constitutions of the United States and of New Hampshire in the public and private schools.

Amend Section 1 by striking out in lines 9 and 17 the word "Constitution" and inserting in place thereof the word "Constitutions"; further amend by inserting after the word "states" in lines 10 and 18 the words "and of this State" so that said section, as amended, shall read as follows:

SECTION 1. Amend Laws of 1921, Chapter 85, Part II, Section 2, by striking out these words "that the prescribed text-books are used, and that the Constitutions of this State and of the United States are read aloud at least once in each year of the last course below the high school" and inserting therefor the following: In all public and private schools located within the State of New Hampshire, commencing with the school year next ensuing after the passage of this act, there shall be given regular courses of instruction in the Constitutions of the United States and of this State, so that said section as amended shall read: SECT. 2. The school board shall see that the studies prescribed by the State Board of Education are thoroughly taught, especially physiology and hygiene in so far as it related to the effect of alcohol and narcotics on the human system. In all public

and private schools located within the State of New Hampshire, commencing with the school year next ensuing after the passage of this act, there shall be given regular courses of instruction in the Constitutions of the United States and of this State. Any member of the board who neglects or refuses to comply with the provisions of this section shall forfeit two hundred dollars.

Amend Section 2 by striking out the word "Constitution" in line 1 and inserting in place thereof the word "Constitutions"; further amend by inserting after the word "States" in line 2 the words "and of this State" so that said section, as amended, shall read as follows:

SECT. 2. Such instruction in the Constitutions of the United States and of this State shall begin not later than the opening of the eighth grade and shall continue in the high school course to an extent to be determined by the State Board of Education.

On motion of Senator Swasey, the Senate voted to concur with the House of Representatives in the foregoing amendments, and the bill was sent to the Secretary of State to be engrossed.

#### READ AND REFERRED.

The following entitled bills sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Judiciary:

House Bill No. 297, An act in amendment of Section 14 of Chapter 192 of the Public Statutes, relating to the reports of commissioners.

House Bill No. 298, An act in amendment of Section 1 of Chapter 192 of the Public Statutes, relating to the acceptance of commissioner's reports.

House Bill No. 362, An act to authorize the Woodsville Fire District of the Town of Haverhill to exceed its limit of bonded indebtedness as fixed by Chapter 129, Laws of 1917, and to issue serial notes or bonds.

To the Committee on Revision of Laws:

House Bill No. 154, An act declaring pumps and tanks

employed in the distribution and sale of gasoline and other motor vehicle fuels to be subject to taxation.

House Bill No. 314, An act in amendment of Section 2, Chapter 120, Laws of 1909, relating to sentence to the State Prison.

To the Committee on Finance:

House Bill No. 267, An act to amend Chapter 38, Laws of 1913, An act for the bi-weekly payment for all State employees except salaried officers.

To the Committee on Fish and Game:

House Bill No. 281 (In New Draft and New Title), An act in amendment of Sub-division (a) Section 14, Chapter 133, Laws of 1915, as amended by Section 5, Chapter 184 of the Laws of 1917, as amended by Section 3, Chapter 152, Laws of 1919 as amended by Section 1, Chapter 141, Laws of 1921, relating to open season on deer.

To the Committee on Public Health:

House Bill No. 284 (In New Draft), An act to regulate bakeries and bakery products.

To the Committee on Forestry:

House Bill No. 345, An act relating to shade trees in highways and other public places.

To the Committee on Education:

House Bill No. 356, An act relating to the issue of bonds by the school district of the Town of Salem.

On motion of Senator Branch, the rules were so far suspended that the following entitled bill sent up from the House of Representatives was read a first and second time by title and referred:

To the Committee on the Judiciary:

House Bill No. 363, An act in amendment of Charter of the City of Somersworth.

#### BILL RECALLED FROM GOVERNOR.

On motion of Senator Branch, the following resolution was adopted:

*Resolved*, That the Governor be requested to return to the Senate for further consideration the following entitled bill:

House Bill No. 341, An act relating to pensions of employees of the City of Manchester.

BILL RETURNED FROM GOVERNOR.

Pursuant to the above request, the Governor returned House Bill No. 341, An act relating to pensions of employees of the City of Manchester.

On motion of Senator Branch, the rules were so far suspended as to allow the reconsideration of the vote on the above entitled bill.

On motion of the same senator, the Senate voted to reconsider the vote whereby the following entitled bill passed:

House Bill No. 341, An act relating to pensions of employees of the City of Manchester.

On motion of the same senator, the Senate voted to reconsider the vote whereby the foregoing entitled bill was ordered to a third reading.

On motion of the same senator, the above entitled bill was recommitted to the Committee on the Judiciary.

FORWARDING OF BILL.

The following entitled bill having been laid upon the table to be printed was taken from the table and ordered to a third reading this afternoon at two o'clock:

Senate Bill No. 32, An act to provide safety exit facilities for school houses.

INTRODUCTION OF A BILL.

Senator Holmes, under a suspension of the rules, sixteen senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed, and referred:

To the Committee on Revision of Laws:

Senate Bill No. 34, An act in amendment of Chapter 101, Laws of 1921, relating to inflammable polishes.

On motion of Senator Tripp the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

## THIRD READINGS.

Agreeably to the foregoing motion the following entitled bill was read a third time, passed and sent to the House of Representatives for concurrence:

Senate Bill No. 32, An act to provide safety exit facilities for school houses.

On motion of Senator Hammond the Senate adjourned.

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WEDNESDAY, APRIL 11, 1923.

The Senate met according to adjournment.

On motion of Senator Ripley the rules were so far suspended as to allow the introduction of the following committee reports:

## COMMITTEE REPORTS.

The Committee on the Judiciary to whom was referred:

Senate Bill No. 33, An act relative to the official bond of the treasurer of counties.

House Bill No. 297, An act in amendment of Section 14, of Chapter 192 of the Public Statutes, relating to the reports of commissioners.

House Bill No. 298, An act in amendment of Section 1 of Chapter 192 of the Public Statutes, relating to the acceptance of commissioner's reports.

House Bill No. 352, An act to legalize the annual meeting of the Conway Village Fire District held on the twenty-sixth day of March, 1923.

House Bill No. 357, An act to legalize the vote and proceedings at the annual town meeting holden in Colebrook, March, 1921, relating to exemption from taxation Dr. Kerr's Hospital.

House Bill No. 358, An act to authorize the school district of the Town of Claremont to raise and appropriate money at a special meeting thereof.

House Bill No. 361, An act in amendment of Chapter 177, Laws of 1885, as amended by Chapter 199 of the Laws



of 1895, Chapter 153, of the Laws of 1897, Chapter 199 of the Laws of 1899, and Chapter 182 of the Laws of 1901, being the Charter of the Manchester Traction, Light and Power Company.

House Bill No. 362, An act to authorize the Woodsville Fire District of the Town of Haverhill to exceed its limit of bonded indebtedness as fixed by Chapter 129, Laws of 1917, and to issue serial notes or bonds.

House Bill No. 363, An act in amendment of the Charter of the City of Somersworth.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at two o'clock.

Senator Ripley, for the Committee on Engrossed Bills, to whom was referred House Bill No. 107, An act relating to the sale of farm produce, having considered the same, reported the same under Joint Rule No. 6 with the following amendments and recommended its passage:

Amend Section 1 of said bill by striking out in the fifth line thereof the following words "fifty and forty-two" and inserting in place thereof the words "sixty-two and eighty-nine." Also amend Section 1 of said bill by striking out in the tenth line thereof the words "seventy-five and twenty-one" and inserting in place thereof the words "eighty-one and fifty-five."

The report was accepted, amendments adopted, and the bill sent to the House of Representatives for concurrence in Senate amendments.

Senator Ripley, for the Committee on Engrossed Bills, to whom was referred House Bill No. 253, An act in amendment of Section 19 of Chapter 286 of the Public Statutes, relating to the salary of the treasurer of Hillsborough County, having considered the same, reported the same under Joint Rule No. 6 with the following amendments and recommended its passage:

Amend the title of said bill by striking out the whole thereof and substituting the following title:

An act relating to the Salary of the Treasurer of Hillsborough County.

Amend Section 1 of said bill by striking out the whole thereof and inserting in place thereof the following:

SECTION 1. Amend Section 19 of Chapter 286 of the Public Statutes, as amended by Section 1, Chapter 4, Laws of 1899, Section 1, Chapter 43, Laws of 1907, and Section 1, Chapter 88, Laws of 1909, by striking out the ninth line of said section and inserting in place thereof the following:

In Hillsborough, ten hundred dollars.

Further amend said act by striking out Sections 2 and 3 and inserting in place thereof the following section:

SECT. 2. All acts or parts of acts inconsistent with this act are hereby repealed and this act shall be retroactive and upon its passage shall take effect as of April 1, 1921, and the treasurer of said county who held office during the period April 1, 1921, to April 1, 1923, shall be paid the increase provided for by this act for such period.

The report was accepted, amendments adopted, and the bill sent to the House of Representatives for concurrence in Senate amendments.

The following message was received from the House of Representatives by its clerk:

#### HOUSE MESSAGE.

*Mr. President:* .

The House of Representatives has passed the following entitled bills and House joint resolution in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 26, An act to control the possession, sale, and use of pistols and revolvers.

House Bill No. 195 (In New Draft and New Title), An act declaring every child to be the legitimate child of its natural parents; making such child an heir of such parents and providing the procedure for establishing parentage; and in addition to Chapter 87 of the Public Statutes.

House Bill No. 222 (In New Draft and New Title), An act relating to damages happening in the use of highways, and

repealing Section 1, Chapter 59, Laws of 1893, as amended by Chapter 48, Laws of 1915, and repealing Sections 7, 8, 9, and 10 of Chapter 76, of the Public Statutes, and any other statute inconsistent with this act.

House Bill No. 306 (In New Draft), An act enabling the Town of Ossipee to exempt from taxation certain property in that town to be used for hotel purposes.

House Bill No. 308, An act to regulate the salary of the solicitor of Rockingham County.

House Bill No. 333, An act in amendment of Chapter 182, Section 22 of the Public Statutes, relating to the proving of wills.

House Bill No. 350, An act in amendment of Section 1, Chapter 45, Laws of 1905, as amended by Chapter 25, Laws of 1915, entitled: "An act for the protection of savings banks and other savings institutions."

House Bill No. 351, An act in amendment of Chapter 177 of the Laws of 1917, entitled: "An act to more effectively restrain agreements to regulate and fix prices of commodities in this State and to restrain combinations and monopolies in commodities and provide penalties therefor."

House Bill No. 365, An act to legalize certain acts of the Bethlehem Village Precinct and to authorize the precinct to issue bonds to refund outstanding water bonds.

House Joint Resolution No. 60, Joint resolution providing for the deficiency of the New Hampshire School for feeble-minded children.

The message further announced that the House of Representatives had passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

Senate Bill No. 7 (In House New Draft), An act in relation to the foreclosure of power of sale mortgages of real estate.

The message also announced that the House of Representatives refused to concur with the Honorable Senate in its amendment to the following bill:

House Bill No. 252, An act in amendment of Section 4,

Chapter 76, Laws of 1895, relating to the protection from pollution of sources of water used for domestic purposes, and has voted to request a committee on conference to further consider the amendment, and pursuant to the vote, the Speaker of the House of Representatives has appointed Messrs. Martin of Concord, Wright of Sanbornton, and Mrs. Bartlett of Raymond, as conferees on the part of the House.

On motion of Senator Hodgdon the Senate voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 252, An act in amendment of Section 4, Chapter 76, Laws of 1895, relating to the protection from pollution of sources of water used for domestic purposes, and the President appointed Senators Hodgdon, Orr and Elder as conferees on the part of the Senate.

#### READ AND REFERRED.

On motion of Senator Ripley, the rules were suspended and the following entitled bills sent up from the House of Representatives were severally read a first and second time by title and referred:

To the Committee on the Judiciary:

House Bill No. 26, An act to control the possession, sale and use of pistols and revolvers.

House Bill No. 306 (In New Draft), An act enabling the Town of Ossipee to exempt from taxation certain property in that town to be used for hotel purposes.

House Bill No. 333, An act in amendment of Chapter 182, Section 22 of the Public Statutes, relating to the proving of wills.

House Bill No. 365, An act to legalize certain acts of the Bethlehem Village Precinct and to authorize the precinct to issue bonds to refund outstanding water bonds.

Senate Bill No. 7 (In House New Draft), An act in relation to the foreclosure of power of sale mortgages of real estate.

To the Committee on Revision of Laws:

House Bill No. 195 (In New Draft), An act declaring

every child to be the legitimate child of its natural parents; making such child an heir of such parents and providing the procedure for establishing parentage; and in addition to Chapter 87 of the Public Statutes.

House Bill No. 308, An act to regulate the salary of the solicitor of Rockingham County.

To the Committee on Roads, Bridges and Canals:

House Bill No. 222 (In New Draft and New Title), An act relating to damages happening in the use of highways and repealing Section 1, Chapter 59, Laws of 1893, as amended by Chapter 48, Laws of 1915, and repealing Sections 7, 8, 9 and 10 of Chapter 76, of the Public Statutes and any other statute inconsistent with this act.

To the Committee on Agriculture:

House Bill No. 351, An act in amendment of Chapter 177 of the Laws of 1917, entitled: "An act to more effectively restrain agreements to regulate and fix prices of commodities in this State and to restrain combinations and monopolies in commodities and provide penalties therefor."

To the Committee on Banks:

House Bill No. 350, An act in amendment of Section 1, Chapter 45, Laws of 1905, as amended by Chapter 25, Laws of 1915, entitled: "An act for the protection of savings banks and other savings institutions."

The following joint resolution sent up from the House of Representatives was read a first and second time and referred:

To the Committee on Finance:

House Joint Resolution No. 60, Joint resolution providing for the deficiency of the New Hampshire School for Feeble-Minded Children.

#### SPECIAL ORDER.

Senator Branch called for the Special Order, it being House Bill No. 143, An act relating to the supervision of police affairs in cities.

On motion of the same Senator, the foregoing entitled bill was made a Special Order for Wednesday, April 18, at 11.01 A. M.

On motion of Senator Burns, the Senate adjourned.

## AFTERNOON.

## THIRD READINGS.

On motion of Senator Ripley the rules were suspended and the following entitled bills were severally read a third time by title and passed:

House Bill No. 297, An act in amendment of Section 14 of Chapter 192 of the Public Statutes, relating to the reports of commissioners.

House Bill No. 298, An act in amendment of Section 1 of Chapter 192 of the Public Statutes, relating to the acceptance of commissioner's reports.

House Bill No. 352, An act to legalize the annual meeting of the Conway Village Fire District, held on the twenty-sixth day of March, 1923.

House Bill No. 357, An act to legalize the vote and proceedings at the annual town meeting holden in Colebrook, March 1921, relating to exemption from taxation of Dr. Kerr's hospital.

House Bill No. 358, An act to authorize the school district of the Town of Claremont to raise and appropriate money at a special meeting thereof.

House Bill No. 361, An act in amendment of Chapter 177, Laws of 1885, as amended by Chapter 199 of the Laws of 1895, Chapter 153 of the Laws of 1897, Chapter 199 of the Laws of 1899 and Chapter 182 of the Laws of 1901 being the Charter of the Manchester Traction, Light and Power Company.

House Bill No. 362, An act to authorize the Woodsville Fire District of the Town of Haverhill to exceed its limit of bonded indebtedness as fixed by Chapter 129, Laws of 1917 and to issue serial notes or bonds.

House Bill No. 363, An act in amendment of the Charter of the City of Somersworth.

The following entitled bill was read a third time, passed and sent to the House of Representatives for concurrence:

Senate Bill No. 33, An act relative to the official bond of the treasurer of counties.

On motion of Senator Ham the Senate adjourned.

## THURSDAY, APRIL 12, 1923.

The Senate met according to adjournment.

## COMMITTEE REPORTS.

Senator Hammond, for the Committee on Finance, to whom was referred:

House Bill No. 41, An act to provide for a revision of the Public Laws.

House Joint Resolution No. 13, Joint resolution in favor of Hubert J. Kennedy.

House Joint Resolution No. 52, Joint resolution to provide for a deficit in the appropriation of the New Hampshire State Hospital for the fiscal period ending June 30, 1923.

House Joint Resolution No. 54, Joint resolution in favor of the Estate of William B. Deal.

Having considered the same reported the same without amendment and recommended their passage.

The reports were accepted and the bill and joint resolutions severally ordered to a third reading this afternoon at two o'clock.

Senator Coulombe, for the Committee on Revision of Laws, to whom was referred:

House Bill No. 154, An act declaring pumps and tanks employed in the distribution and sale of gasoline and other motor vehicle fuels to be subject to taxation.

House Bill No. 314, An act in amendment of Section 2, Chapter 120, Laws of 1909, relating to sentence to the State Prison.

Having considered the same reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at two o'clock.

Senator Coulombe, for the Committee on Revision of Laws, to whom was referred Senate Bill No. 34, An act in amendment of Chapter 101, Laws of 1921, relating to Inflammable Polishes, having considered the same reported the same in new title and new draft and recommended its passage.

The report was accepted, the bill in its new draft was read a first and second time and laid upon the table to be printed.

The following report of the Committee on Engrossed Bills was read and accepted:

#### BILLS ENGROSSED.

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 18, An act to change the name of Nelson Aldrich Edgell to that of Stephen Maurice Edgell.

Senate Bill No. 24, An act to legalize the March meeting held on the thirteenth day of March 1923, in the Town of Clarksville.

Senate Bill No. 30, An act legalizing the votes and proceedings of the town meetings held in Lebanon in March 1923, relative to issuing bonds.

House Bill No. 94, An act to maintain the purity of butter, cream and dairy products.

House Bill No. 102, An act to amend Section 1 of Chapter 40 of the Laws of 1911, relating to taxation or assessment of land.

House Bill No. 113, An act relative to the official bond of the treasurer of Hillsborough county.

House Bill No. 159, An act for the protection of woodlands from fire during periods of protracted drought.

House Bill No. 186, An act in amendment of Chapter 55 of the Laws of 1919, as amended by Chapter 120 of the Laws of 1921, relating to permit fees on motor vehicles.

House Bill No. 213, An act in amendment of the charter of the Trustees of the Orphans' Home of Concord, approved June 26, 1874, as amended by an act approved March 10, 1897, and in amendment of "An act to exempt the Orphans' Home of Concord, New Hampshire, from taxation."

House Bill No. 215, An act in amendment of Chapter 139 of the Laws of 1919, as amended by Chapter 23 of the Laws of 1921, relating to the taxation of street railways.

House Bill No. 234, An act in amendment of Chapter 70 of the Laws of 1921, entitled "An act imposing a tax upon



the transfer at death of the personal property of non-residents."

House Bill No. 335, An act to authorize the county of Coos to issue notes.

House Bill No. 336, An act to legalize the town election held on the thirteenth day of March, 1923, in the Town of Tuftonboro.

House Bill No. 342, An act authorizing the Enfield Village Fire District to renew and extend its water bonds.

House Bill No. 347, An act legalizing the annual school district meeting for the Town of Holderness on the thirteenth day of March, 1923.

The following message was received from the House of Representatives by its clerk:

#### HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 93 (In New Draft and New Title), An act relating to the selection of selectmen in towns.

House Bill No. 353, An act relating to pensions for employees of the City of Nashua.

House Bill No. 367, An act in amendment of Chapter 208 of the Laws of 1883, entitled: "An act to incorporate the New Hampshire Odd Fellows' Widows' and Orphans' Home," as amended by Chapter 174 of the Laws of 1885.

House Bill No. 368, An act to amend the primary and election laws.

House Bill No. 369, An act legalizing certain proceedings at the adjourned meeting of the Town of Ashland, March 17, 1923.

The message further announced that the House of Representatives had voted to adopt the amendment of the engrossed bills committee to the following Senate bill; in adoption of which amendment the House asks the concurrence of the Honorable Senate:

Senate Bill No. 20, An act to provide for increase of salary for sheriff of Hillsborough County.

Amend Section 2 of said bill by striking out the whole thereof and inserting in place thereof the following:

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and upon its passage this act shall take effect as of April 1, 1923.

On motion of Senator Osgood, the Senate voted to concur with the House of Representatives in the foregoing amendment:

The message also announced that the House of Representatives refused to concur with the Honorable Senate in the passage of the following joint resolution:

Senate Joint Resolution No. 3, Joint resolution authorizing the finance committee of the Governor's Council to investigate and report facts in regard to the administration of state affairs by the several departments and state institutions.

#### READ AND REFERRED.

On motion of Senator Ripley, the rules were suspended and the following entitled bills were severally read a first and second time by title and referred:

To the Committee on the Judiciary:

House Bill No. 353, An act relating to pensions for employees of the City of Nashua.

House Bill No. 367, An act in amendment of Chapter 208 of the Laws of 1883, entitled: "An act to incorporate the New Hampshire Odd Fellows' Widows' and Orphans' Home" as amended by Chapter 174 of the Laws of 1885.

House Bill No. 368, An act to amend the primary and election laws.

House Bill No. 369, An act legalizing certain proceedings at the adjourned meeting of the Town of Ashland, March 17, 1923.

On motion of Senator Brown, the rules were suspended, reference to committee dispensed with and the foregoing entitled bill was read a third time and passed.

To the Committee on Revision of Laws:

House Bill No. 93 (In New Draft and New Title), An act relating to the selection of selectmen in towns.

On motion of Senator Coulombe, all business in order for this afternoon at 2 o'clock was made in order at the present time.

### THIRD READINGS.

Agreeably to the foregoing motion, the following entitled bills and joint resolutions were severally read a third time and passed.

House Bill No. 41, An act to provide for a revision of the Public Laws.

House Bill No. 154, An act declaring pumps and tanks employed in the distribution and sale of gasoline and other motor vehicle fuels to be subject to taxation.

House Bill No. 314, An act in amendment of Section 2, Chapter 120, Laws of 1909, relating to sentence to the State Prison.

House Joint Resolution No. 13, Joint resolution in favor of Hubert J. Kennedy.

House Joint Resolution No. 52, Joint resolution to provide for a deficit in the appropriation of the New Hampshire State Hospital for the fiscal period ending June 30, 1923.

House Joint Resolution No. 54, Joint resolution in favor of the estate of William B. Deal.

On motion of Senator Hammond, the following resolution was adopted:

*Resolved*, That when the Senate adjourns to-day, it adjourn to meet to-morrow morning at 9.00 o'clock, and when it adjourns Friday morning it be to meet Monday evening at 7.30 o'clock.

On motion of Senator Orr, the Senate adjourned.

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### FRIDAY, APRIL 13, 1923.

The Senate met according to adjournment.

On motion of Senator Lufkin the Senate adjourned.

MONDAY, APRIL 16, 1923.

The Senate met according to adjournment.

On motion of Senator Lufkin the Senate adjourned.

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TUESDAY, APRIL 17, 1923.

The Senate met according to adjournment.

COMMITTEE REPORTS.

Senator Osgood for the Committee on Engrossed Bills to whom was referred:

House Bill No. 314, An act in amendment of Section 2, Chapter 120, Laws of 1909, relating to sentence to the State Prison, having considered the same, reported the same under Joint Rule No. 6 with the following amendments and recommended its passage:

Amend Section 1 of said act by inserting before the word "by" in the first line the words "as amended by Section 1, Chapter 52, Laws of 1917."

Further amend Section 1 of said act by adding at the end thereof the following: "In cases of exceptionally meritorious conduct, the Governor and Council may in like manner issue such permit at a time in advance of the expiration of the minimum term of sentence to be computed by deducting therefrom not more than three days for each month of such minimum term of sentence."

The report was accepted, amendments adopted and the bill sent to the House of Representatives for concurrence in Senate amendments.

Senator Osgood for the Committee on Engrossed Bills, to whom was referred:

House Bill No. 363, An act in amendment of the Charter of the City of Somersworth, having considered the same, reported the same under Joint Rule No. 6 with the following amendments and recommended its passage:

Amend said bill by striking out the first five lines in Section 1 and inserting in place thereof the following:

SECTION 1. Amend Section 20, Chapter 171, Laws of 1893, by striking out the word "nine" in the fourth line and substituting in place thereof the word "ten" so that said section as amended shall read as follows:

Further amend said bill by striking out the fourteenth, fifteenth, sixteenth, seventeenth and eighteenth lines of Section 1 and inserting in place thereof the following:

SECT. 2. Amend Section 21, Chapter 171, Laws of 1893, by inserting before the word "said" in the first line the following: "The mayor of said city shall, *ex officio*, be a member of said school board, with full power and authority as a member thereof. The remaining nine members of," so that said section as amended shall read as follows:

The report was accepted, amendments adopted and the bill sent to the House of Representatives for concurrence in Senate amendments.

#### TAKEN FROM THE TABLE.

The following entitled bill having been laid upon the table to be printed, was taken from the table and ordered to a third reading this afternoon at 2 o'clock.

Senate Bill No. 34 (In New Title and New Draft), An act to prohibit the sale and manufacture of inflammable stove polishes.

The following message was received from the House of Representatives by its clerk:

#### HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 14 (In New Draft), An act in amendment of Chapter 80 of the Laws of 1907, relating to marriages.

House Bill No. 50 (In New Draft), An act in amendment of Section 4, Chapter 168, Laws of 1913, relating to the State Highway from Merrimack Valley Road to East Side Route.

House Bill No. 209, An act to make uniform the law relating to the sale of goods and known as The Uniform Sales Act.

House Bill No. 221 (In New Draft), An act in amendment of and addition to Chapter 78, Laws of 1897, as amended by Chapter 30, Laws of 1919, relating to the creation of voting districts and additional polling places in city wards.

House Bill No. 354, An act to provide for the taxation of growing timber on woodlots not exceeding fifty acres.

House Bill No. 360, An act relative to the law of the road.

House Bill No. 371, An act relating to an abatement of State and county taxes to towns having forest lands in the possession of the National Government.

The message further announced that the House of Representatives had concurred with the Senate in the passage of the following bill:

Senate Bill No. 9, An act relating to the State Board of Education.

The message also announced that the House of Representatives had voted to concur with the Honorable Senate in its adoption of the amendments of the Engrossed Bills Committee to the following entitled House bills:

House Bill No. 107, An act relating to the sale of farm produce.

House Bill No. 253, An act in amendment of Section 19 of Chapter 286 of the Public Statutes, relating to the salary of the treasurer of Hillsborough County.

#### READ AND REFERRED.

The following entitled bills sent up from the House of Representatives, were severally read a first and second time and referred:

To the Committee on the Judiciary:

House Bill No. 14 (In New Draft), An act in amendment of Chapter 80 of the Laws of 1907, relating to marriages.

To the Committee on Revision of Laws:

House Bill No. 221 (In New Draft), An act in amendment of and addition to Chapter 78, Laws of 1897, as amended by

Chapter 30, Laws of 1919, relating to the creation of voting districts and additional polling places in city wards.

To the Committee on Roads, Bridges and Canals:

House Bill No. 50 (In New Draft), An act in amendment of Section 4, Chapter 168, Laws of 1913, relating to the state highway from Merrimack Valley Road to East Side Route.

House Bill No. 360, An act relative to the law of the road.

To the Committee on Forestry:

House Bill No. 354, An act to provide for the taxation of growing timber on woodlots not exceeding fifty acres.

House Bill No. 371, An act relating to an abatement of state and county taxes to towns having forest lands in the possession of the National Government.

On motion of Senator Tripp, the rules were suspended and the following entitled bill sent up from the House of Representatives was read a first and second time by title and referred:

To the Committee on the Judiciary:

House Bill No. 209, An act to make uniform the law relating to the sale of goods and known as The Uniform Sales Act.

On motion of Senator Hodgdon, the Senate adjourned.

## AFTERNOON.

### COMMITTEE REPORT.

On motion of Senator Hammond, the rules were so far suspended as to allow the introduction of the following committee report:

The Committee on Agriculture to whom was referred House Bill No. 351, An act in amendment of Chapter 177 of the Laws of 1917, entitled: An act to more effectively restrain agreements to regulate and fix prices of commodities in this State and to restrain combinations and monopolies in commodities and provide penalties therefor, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading tomorrow morning at 11 o'clock.

On motion of Senator Tripp, the rules were further suspended and the foregoing entitled bill was read a third time and passed.

#### INTRODUCTION OF COMMITTEE BILL.

The Committee on Incorporations, having considered the subject matter, reported the following entitled bill:

Senate Bill No. 35, An act to establish waterworks in the Town of Hooksett or any village districts thereof.

The foregoing entitled bill was read a first and second time and laid upon the table to be printed under the rules.

#### THIRD READINGS.

The following entitled bill was read a third time, passed, and sent to the House of Representatives for concurrence:

Senate Bill No. 34 (In New Title and New Draft), An act to prohibit the sale and manufacture of inflammable stove polishes.

On motion of Senator Orr, the Senate adjourned.

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WEDNESDAY, APRIL 18, 1923.

The Senate met according to adjournment.

#### COMMITTEE REPORTS.

Senator Ripley, for the Committee on the Judiciary, to whom was referred:

House Bill No. 26, An act to control the possession, sale and use of pistols and revolvers.

House Bill No. 306 (In New Draft), An act enabling the Town of Ossipee to exempt from taxation certain property in that town to be used for hotel purposes.

House Bill No. 365, An act to legalize certain acts of the Bethlehem Village Precinct and to authorize the precinct to issue bonds to refund outstanding water bonds.

House Bill No. 367, An act in amendment of Chapter 208



of the Laws of 1883, entitled: "An act to incorporate the New Hampshire Odd Fellows' Widows' and Orphans' Home," as amended by Chapter 174 of the Laws of 1885.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at 2 o'clock.

Senator Ripley, for the Committee on the Judiciary, to whom was referred:

House Bill No. 368, An act to amend the primary and election laws, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted.

The question being stated: Shall the bill be ordered to a third reading?

On a *viva voce* vote the President was in doubt and called for a division.

Fourteen senators having voted in the affirmative and four senators having voted in the negative, the affirmative prevailed and the bill was ordered to a third reading this afternoon at 2 o'clock.

Senator Ripley for the Committee on the Judiciary, to whom was referred:

Senate Bill No. 26, An act to provide for an inspector of plumbing in the City of Manchester, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Ripley for the Committee on the Judiciary, to whom was referred:

House Bill No. 93 (In New Title and New Draft), An act relating to the election of selectmen in towns, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Ripley for the Committee on the Judiciary, to whom was referred:

Senate Bill No. 7 (In House New Draft), An act in relation to the foreclosure of Power of Sale Mortgages of Real Estate, having considered the same reported the same in Senate new draft and recommended its passage.

The report was accepted and the bill in its new draft was read a first and second time and laid upon the table to be printed.

On motion of Senator Ripley the rules were suspended, printing dispensed with and the bill ordered to a third reading this afternoon at 2 o'clock.

Senator Coulombe for the Committee on Revision of Laws, to whom was referred:

House Bill No. 308, An act to regulate the salary of the solicitor of Rockingham County, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

Senator Coulombe, for the Committee on Revision of Laws, to whom was referred:

House Bill No. 166 (In New Draft), An act in relation to the construction of curbing along the streets in the City of Manchester, having considered the same, reported the same in Senate new draft and recommended its passage.

The report was accepted and the bill in its new draft was read a first and second time and laid upon the table to be printed.

Senator Coulombe, for the Committee on Revision of Laws, to whom was referred:

House Bill No. 85, An act to regulate the use of the waters in Silver Lake in Madison, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Coulombe, for the Committee on Revision of Laws, to whom was referred:

House Bill No. 195 (In New Draft and New Title), An act declaring every child to be the legitimate child of its

natural parents; making such child an heir of such parents and providing the procedure for establishing parentage; and in addition to Chapter 87 of the Public Statutes, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Tripp, for the Committee on Agriculture, to whom was referred House Bill No. 302 (In New Draft), An act to regulate the shipment of live stock, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Tripp, for the Committee on Agriculture, to whom was referred House Bill No. 97, An act to amend Chapter 227, Laws of 1917, regulating the grading, packing, shipping and sale of apples, having considered the same, reported the same without recommendation.

Senator Hammond moved that the bill be ordered to a third reading this afternoon at two o'clock.

The question being stated: Shall the bill be ordered to a third reading?

On a *viva voce* vote the President was in doubt and called for a division.

Twelve Senators having voted in the affirmative and seven Senators having voted in the negative, the affirmative prevailed and the bill was ordered to a third reading this afternoon at two o'clock.

Senator Burns, for the Committee on Forestry, to whom was referred House Bill No. 310, An act in amendment of Section 13, Chapter 128, Laws of 1909, as amended by Chapter 166, Laws of 1911, as amended by Chapter 142, Laws of 1915, relating to the burning of brush by permit, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Burns, for the Committee on Forestry, to whom was referred House Bill No. 312, An act in amendment of Section 1, Chapter 95, Laws of 1911, as amended by Chapter 159, Laws of 1917, relating to the use of spark arresters on portable saw mills, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Burns, for the Committee on Forestry, to whom was referred House Bill No. 345, An act relating to shade trees in highways and other public places, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Orr, for the Committee on Fish and Game, to whom was referred:

Senate Bill No. 28, An act in amendment of the Fish and Game Laws, relating to the taking and possession of pick-erel;

House Bill No. 141, An act in amendment of Sub-division (b), Section 28, Chapter 133, Laws of 1915, relating to Fish and Game;

House Bill No. 299, An act relating to Antwerp or Homing Pigeons;

House Bill No. 318, An act relating to the powers and duties of the Commissioner of Fish and Game;

House Bill No. 322, An act to amend paragraph (a), Section 16, Chapter 133, Laws of 1915, as amended by Section 11, Chapter 152, Laws of 1919, relating to gray squirrels.

Having considered the same reported the same without amendment, and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at two o'clock.

Senator Swasey, for the Committee on Education, to whom was referred House Bill No. 356, An act relating to the issue of bonds by the school district of the Town of Salem, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

#### MAJORITY AND MINORITY REPORTS.

Senator Ripley, for a majority of the Committee on Judiciary, to whom was referred House Bill No. 332, An act to provide that the Fire Commissioners of the City of Manchester be elected by the people, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

Senator Osgood, for a minority of the Committee on Judiciary, to whom was referred House Bill No. 332, An act to provide that the Fire Commissioners of the City of Manchester be elected by the people, having considered the same reported the same without amendment and recommended its passage.

The report of the majority was accepted.

The question being upon the adoption of the resolution, That it is inexpedient to legislate.

On a *viva voce* vote the affirmative prevailed and the resolution was adopted.

Senator Ripley, for a majority of the Committee on Judiciary, to whom was referred House Bill No. 338, An act to provide that the Highway Commissioners of the City of Manchester be elected by the people, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

Senator Osgood, for a minority of the Committee on the Judiciary, to whom was referred House Bill No. 338, An act to provide that the highway commissioners of the City of Manchester be elected by the people, having considered the same, reported the same without amendment and recommended its passage.

The report of the majority was accepted.

The question being upon the adoption of the resolution, That it is inexpedient to legislate.

On a *viva voce* vote the affirmative prevailed and the resolution was adopted.

Senator Ripley, for a majority of the Committee on the Judiciary, to whom was referred House Bill No. 343, An act to provide that the park commissioners of the City of Manchester be elected by the people, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

Senator Osgood, for a minority of the Committee on the Judiciary, to whom was referred House Bill No. 343, An act to provide that the park commissioners of the City of Manchester be elected by the people, having considered the same, reported the same without amendment and recommended its passage.

The report of the majority was accepted.

The question being upon the adoption of the resolution That it is inexpedient to legislate.

On a *viva voce* vote the affirmative prevailed and the resolution was adopted.

Senator Branch demanded a roll-call.

The clerk proceeded to call the roll.

The following named Senators voted in the affirmative:

Senators Ripley, Burns, Brown, Hammond, Jaquith, Lufkin, Holmes, Rice, Lane, Orr, Elder, Swasey, Hodgdon.

The following named Senators voted in the negative:

Senators Coulombe, Hagerty, Tripp, Branch, Osgood, Hurley, Janelle, Ham.

Thirteen Senators having voted in the affirmative and eight Senators having voted in the negative, the affirmative prevailed and the resolution was adopted.

The following report of the Committee on Engrossed Bills was read and accepted.

#### ENGROSSED BILLS.

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and joint resolutions:

Senate Bill No. 12, An act to require the teaching of the Constitutions of the United States and of New Hampshire in the public and private schools.

Senate Bill No. 16, An act for the punishment of persons issuing worthless checks.

Senate Bill No. 20, An act to provide for increase of salary for sheriff of Hillsborough County.

Senate Bill No. 27, An act to change the name of John Young Pond in Lyman.

House Bill No. 41, An act to provide for a revision of the public laws.

House Bill No. 154, An act declaring pumps and tanks employed in the distribution and sale of gasoline and other motor vehicle fuels to be subject to taxation.

House Bill No. 297, An act in amendment of Section 14 of Chapter 192 of the Public Statutes, relating to the reports of commissioners.

House Bill No. 298, An act in amendment of Section 1 of Chapter 193 of the Public Statutes, relating to the acceptance of commissioners' reports.

House Bill No. 352, An act to legalize the annual meeting of the Conway Village Fire District held on the twenty-sixth day of March, 1923.

House Bill No. 357, An act to legalize the vote and proceedings at the annual town meeting holden in Colebrook, March, 1921, relating to exemption from taxation of Dr. Kerr's hospital.

House Bill No. 358, An act to authorize the school district of the Town of Claremont to raise money at a special meeting thereof.

House Bill No. 361, An act in amendment of Chapter 177, Laws of 1885, as amended by Chapter 199 of the Laws of 1895, Chapter 153 of the Laws of 1897, Chapter 199 of the Laws of 1899, and Chapter 182 of the Laws of 1901, being the charter of the Manchester Traction, Light & Power Company.

House Bill No. 362, An act to authorize the Woodsville Fire District of the Town of Haverhill to exceed its limit of bonded indebtedness as fixed by Chapter 129, Laws of 1917, and to issue serial notes or bonds.

House Bill No. 369, An act legalizing certain proceedings

at the adjourned meeting of the Town of Ashland, March 17, 1923.

House Joint Resolution No. 13, Joint resolution in favor of Hubert J. Kennedy.

House Joint Resolution No. 52, Joint resolution to provide for a deficit in the appropriation of the New Hampshire State Hospital for the fiscal period ending June 30, 1923.

House Joint Resolution No. 54, Joint resolution in favor of the estate of William B. Deal.

The following message was received from the House of Representatives by its Clerk:

HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 152 (In New Draft and New Title), An act relating to the distribution of the personal property of deceased persons.

House Bill No. 158 (In New Draft), An act in amendment of Sections 4 and 5 of Chapter 65 of the Public Statutes and all amendments thereto, relating to the taxation of savings banks.

House Bill No. 191, An act in amendment of the laws relating to legacy and succession taxes.

House Bill No. 192, An act relating to the tax upon the transfer at death of personal property of non-residents.

House Bill No. 201, An act in amendment of Section 16, Chapter 56 of the Public Statutes as amended by Chapter 82 of the Laws of 1911, relating to the taxation of wood and lumber.

House Bill No. 218 (In New Draft and New Title), An act providing for a road toll on gasoline and similar products used in propelling motor vehicles on highways and in amendment of Chapter 119, Laws of 1921.

House Bill No. 325 (In New Draft), An act to regulate the sale of grain.



House Bill No. 372, An act relating to the rates of inheritance and succession taxes.

READ AND REFERRED.

The following entitled bills sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Judiciary:

House Bill No. 152 (In New Title and New Draft), An act relating to the distribution of the personal property of deceased persons.

House Bill No. 191, An act in amendment of the laws relating to legacy and succession taxes.

House Bill No. 372, An act relating to the rates of inheritance and succession taxes.

To the Committee on Banks:

House Bill No. 158 (In New Draft), An act in amendment of Sections 4 and 5 of Chapter 65 of the Public Statutes and all amendments thereto, relating to the taxation of savings banks.

To the Committee on Agriculture:

House Bill No. 325 (In New Draft), An act to regulate the sale of grain.

To the Committee on Forestry:

House Bill No. 201, An act in amendment of Section 16, Chapter 56 of the Public Statutes as amended by Chapter 82 of the Laws of 1911, relating to the taxation of wood and lumber.

To the Committee on Roads, Bridges and Canals:

House Bill No. 218 (In New Draft and New Title), An act providing for a road toll on gasoline and similar products used in propelling motor vehicles on highways and in amendment of Chapter 119, Laws of 1921.

On motion of Senator Hurley, the rules were suspended and the following entitled bill sent up from the House of Representatives was read a first and second time by title and referred:

To the Committee on the Judiciary:

House Bill No. 192, An act relating to the tax upon the transfer at death of personal property of non-residents.

FORWARDING OF BILL.

The following entitled bill, having been laid upon the table to be printed was taken from the table and ordered to a third reading this afternoon at 2 o'clock.

Senate Bill No. 35, An act to establish waterworks in the Town of Hooksett or any village districts thereof.

SPECIAL ORDER.

Senator Osgood called for the special order it being House Bill No. 143, An act relating to the supervision of police affairs in cities.

The question being stated: Shall the report of the minority that the bill ought to pass, be substituted for that of the majority, that it is inexpedient to legislate.

(Discussion ensued.)

Senator Osgood demanded a roll call.

The clerk proceeded to call the roll.

The following named senators voted in the affirmative.

Senators Coulombe, Hagerty, Tripp, Branch, Osgood, Hurley, Janelle, Ham.

The following named senators voted in the negative.

Senators Ripley, Burns, Brown, Hammond, Jaquith, Lufkin, Holmes, Rice, Lane, Orr, Elder, Swasey, Hodgdon.

Eight senators having voted in the affirmative and thirteen senators having voted in the negative, the negative prevailed and the motion to substitute was lost.

The question being stated: Shall the resolution of the committee that it is inexpedient to legislate be adopted.

On a *viva voce* vote the affirmative prevailed and the resolution was adopted.

Senator Ripley moved that the Senate adjourn.

The question being stated: Shall the Senate adjourn.

Senator Janelle demanded a roll call.

The following named senators voted in the affirmative.

Senators Coulombe, Ripley, Burns, Brown, Hammond, Holmes, Hunt, Tripp, Orr, Branch, Osgood, Swasey, Hodgdon.

The following named senators voted in the negative.

Senators Jaquith, Lufkin, Rice, Hagerty, Hurley, Janelle, Ham, Elder.

Thirteen senators having voted in the affirmative and eight senators having voted in the negative, the motion prevailed and the Senate adjourned.

### AFTERNOON.

#### THIRD READINGS.

The following entitled bills were severally read a third time and passed:

House Bill No. 141, An act in amendment of Chapter 133, Laws of 1915, relating to fish and game.

House Bill No. 299, An act relating to Antwerp or Homing Pigeons.

House Bill No. 308, An act to regulate the salary of the solicitor of Rockingham county.

House Bill No. 365, An act to legalize certain acts of the Bethlehem Village Precinct and to authorize the precinct to issue bonds to refund outstanding water bonds.

House Bill No. 367, An act in amendment of Chapter 208 of the Laws of 1883, entitled "An act to incorporate the New Hampshire Odd Fellows' Widows and Orphans' Home" as amended by Chapter 174 of the Laws of 1885.

The following entitled bill was read a third time, passed and sent to the House of Representatives for concurrence:

Senate Bill No. 7 (In House New Draft in Senate New Draft), An act in relation to the foreclosure of power of sale mortgages of real estate.

On motion of Senator Coulombe the rules were suspended and the following entitled bill was read a third time by title and passed.

House Bill No. 356, An act relating to the issue of bonds by the school district of the Town of Salem.

On motion of Senator Osgood, the rules were suspended and the following entitled bill was read a third time by title and passed:

House Bill No. 26, An act to control the possession, sale and use of pistols and revolvers.

On motion of Senator Branch, the rules were suspended and the following entitled bill was read a third time by title, passed and sent to the House of Representatives for concurrence:

Senate Bill No. 35, An act to establish waterworks in the Town of Hooksett or any village districts thereof.

The following entitled bill was read a third time:

House Bill No. 322, An act to amend paragraph (a) Section 16, Chapter 133, Laws of 1915, as amended by Section 11, Chapter 152, Laws of 1919, relating to gray squirrels.

The question being stated: Shall the bill pass?

On a *viva voce* vote the President was in doubt and called for a division.

Ten senators having voted in the affirmative and four senators having voted in the negative, the affirmative prevailed and the bill passed.

The following entitled bill was read a third time:

House Bill No. 302 (In New Draft), An act to regulate the shipment of live stock.

The question being stated: Shall the bill pass?

On a *viva voce* vote the President was in doubt and called for a division.

Nine senators having voted in the affirmative and six senators having voted in the negative, the affirmative prevailed and the bill passed.

The following entitled bill was read a third time:

Senate Bill No. 28, An act in amendment of the Fish and Game Laws, relating to the taking and possession of pickerel.

The question being stated: Shall the bill pass?

On a *viva voce* vote the President was in doubt and called for a division.

Thirteen senators having voted in the affirmative and one senator having voted in the negative, the affirmative prevailed, the bill passed and was sent to the House of Representatives for concurrence.

The following entitled bill was read a third time:

House Bill No. 306 (New Draft), An act enabling the Town of Ossipee to exempt from taxation certain property in that town to be used for hotel purposes.

The question being stated: Shall the bill pass?

On a *viva voce* vote the affirmative prevailed.

Senator Swasey called for a division.

Thirteen senators having voted in the affirmative and three senators having voted in the negative, the affirmative prevailed and the bill passed.

The following entitled bill was read a third time:

House Bill No. 97, An act to amend Chapter 227, Laws of 1917, regulating the grading, packing, shipping and sale of apples.

The question being stated: Shall the bill pass?

On a *viva voce* vote the president was in doubt and called for a division.

Senator Branch demanded a roll-call.

The following named senators voted in the affirmative:

Senators Brown, Hammond, Jaquith, Lufkin, Holmes, Rice and Elder.

The following named senators voted in the negative:

Senators Coulombe, Ripley, Burns, Lane, Tripp, Branch, Osgood, Janelle and Swasey.

Seven senators having voted in the affirmative and nine senators having voted in the negative, the negative prevailed and the bill did not pass.

The following entitled bill was read a third time:

House Bill No. 318, An act relating to the powers and duties of the Commissioner of Fish and Game.

The question being stated: Shall the bill pass?

On a *viva voce* vote the negative prevailed and the bill did not pass.

The following entitled bill was read a third time:

House Bill No. 368, An act to amend the primary and election laws.

The question being stated: Shall the bill pass?

On a *viva voce* vote the negative prevailed and the bill did not pass.

#### COMMITTEE REPORT.

On motion of Senator Ripley the rules were so far suspended as to allow the introduction of the following committee report:

#### MAJORITY AND MINORITY REPORTS.

Senator Ripley, for a majority of the Committee on the Judiciary, to whom was referred House Bill No. 53, An act in amendment of Chapter 4 of the Laws of 1919, as passed by the Special Session of the Legislature in September, 1919, relating to poll tax, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

Senator Osgood, for a minority of the Committee on the Judiciary, to whom was referred House Bill No. 53, An act in amendment of Chapter 4 of the Laws of 1919, as passed by the Special Session of the Legislature in September, 1919, relating to poll tax, having considered the same, reported the same without amendment and recommended its passage.

The report of the majority was accepted.

Senator Osgood moved that the bill be laid upon the table and made a Special Order for to-morrow morning at 11.01.

The question being stated: Shall the motion prevail?

On a *viva voce* vote the president was in doubt and called for a division.

Four senators having voted in the affirmative and eleven senators having voted in the negative, the negative prevailed and the motion was lost.

Senator Tripp demanded a roll-call.

The following named senators voted in the affirmative:

Senators Coulombe, Tripp, Branch, Osgood, Janelle, Elder, Swasey.

The following named senators voted in the negative:

Senators Ripley, Burns, Brown, Hammond, Jaquith, Lufkin, Holmes, Rice, Lane.

Seven senators having voted in the affirmative and nine senators having voted in the negative, the negative prevailed and the motion was lost.

Senator Osgood moved that the report of the minority be substituted for that of the majority, and on that motion demanded a roll-call.

The following named senators voted in the affirmative:

Senators Coulombe, Tripp, Branch, Osgood, Janelle.

The following named senators voted in the negative:

Senators Ripley, Burns, Brown, Hammond, Jaquith, Lufkin, Holmes, Rice, Lane, Elder, Swasey.

Five senators having voted in the affirmative and eleven senators having voted in the negative, the negative prevailed and the motion to substitute was lost.

The question being upon the adoption of the resolution,  
That it is inexpedient to legislate,

On a *viva voce* vote the resolution was adopted.

#### INTRODUCTION OF A COMMITTEE BILL.

The Committee on Revision of Laws having considered the subject-matter reported the following entitled new bill and recommended its passage:

Senate Bill No. 36, An act to amend Chapter 126 of the Laws of 1907, relating to water-works owned by towns.

The above entitled bill was read a first and second time and laid upon the table to be printed under the rules.

On motion of Senator Tripp the Senate adjourned.

THURSDAY, APRIL 19, 1923.

The Senate met according to adjournment.

COMMITTEE REPORTS.

The following report of the Committee on Engrossed Bills was read and accepted:

BILLS ENGROSSED.

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

Senate Bill No. 9, An act relating to the state board of education.

House Bill No. 107, An act relating to the sale of farm produce.

House Bill No. 253, An act relating to the salary of the treasurer of Hillsborough County.

The following message was received from the House of Representatives by its clerk:

HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 245, An act for the partial exemption of certain property to be used for hotel purposes in the City of Manchester.

House Bill No. 290 (In New Draft), An act in amendment of Section 23, Chapter 133, Laws of 1915, and Section 20, Chapter 133, Laws of 1915, in relation to pheasants.

House Bill No. 366, An act in amendment of Chapter 125, Laws of 1921, providing for a reduction in the allotments of State Aid for schools when the appropriation is insufficient to meet the approved claims of the school districts.

House Bill No. 370, An act relating to motor vehicles.



House Bill No. 374, An act authorizing permits to kill injurious animals.

House Bill No. 375, An act relating to bonds to be furnished by officers of savings banks.

House Bill No. 377, An act providing for the propounding and prosecution of a claim by and in the name of the State of New Hampshire against the Federal Government for the recovery of taxes heretofore illegally assessed against citizens and residents of New Hampshire and paid by them.

House Bill No. 378, An act to amend Section 8 of Chapter 133 of the Laws of 1915, relating to damages by game birds and quadrupeds.

House Bill No. 380, An act relating to persons convicted of operating motor vehicles while under the influence of intoxicating liquor.

House Bill No. 387, An act to authorize the conveyance of the interest of the State in a certain parcel of land in the Town of Haverhill to said town.

The message further announced that the House of Representatives had concurred with the Senate in its adoption of the amendment of the Engrossed Bills Committee to the following entitled bills:

House Bill No. 314, An act in amendment of Section 2, Chapter 120, Laws of 1909, relating to sentence to the State Prison.

House Bill No. 363, An act in amendment of the Charter of the City of Somersworth.

#### READ AND REFERRED.

The following entitled bills sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Judiciary:

House Bill No. 245, An act for the partial exemption of certain property to be used for hotel purposes in the City of Manchester.

House Bill No. 377, An act providing for the propounding and prosecution of a claim by and in the name of the State

of New Hampshire against the Federal Government for the recovery of taxes heretofore illegally assessed against citizens and residents of New Hampshire and paid by them.

House Bill No. 380, An act relating to persons convicted of operating motor vehicles while under the influence of intoxicating liquor.

House Bill No. 387, An act to authorize the conveyance of the interest of the State in a certain parcel of land in the Town of Haverhill to said town.

Senator Burns moved that the rules be suspended, reference to the committee dispensed with and the foregoing entitled bill be ordered to a third reading and final passage at the present time.

The question being stated: Shall the motion prevail?

On a *viva voce* vote, the negative prevailed and the motion was lost.

To the Committee on Agriculture:

House Bill No. 378, An act to amend Section 8 of Chapter 133 of the Laws of 1915, relating to damages by game birds and quadrupeds.

To the Committee on Revision of Laws:

House Bill No. 370, An act relating to motor vehicles.

To the Committee on Banks:

House Bill No. 375, An act relating to bonds to be furnished by officers of savings banks.

To the Committee on Fish and Game:

House Bill No. 374, An act authorizing permits to kill injurious animals.

House Bill No. 290 (In New Draft), An act in amendment of Section 23, Chapter 133, Laws of 1915 and Section 20, Chapter 133, Laws of 1915, in relation to pheasants.

Senator Branch moved that the foregoing entitled bill be indefinitely postponed.

The question being stated: Shall the motion prevail?

On a *viva voce* vote the negative prevailed and the motion was lost.

To the Committee on Education:

House Bill No. 366, An act in amendment of Chapter 125,

Laws of 1921, providing for a reduction in the allotments of State Aid for schools when the appropriation is insufficient to meet the approved claims of the school districts.

#### FORWARDING OF BILL.

The following entitled bill having been laid upon the table to be printed was taken from the table and ordered to a third reading this afternoon at two o'clock:

Senate Bill No. 36, An act to amend Chapter 126 of the Laws of 1907, relating to water-works owned by towns.

On motion of Senator Coulombe the foregoing entitled bill was recommitted to the Committee on Revision of Laws.

#### TAKEN FROM THE TABLE.

The following entitled bill having been laid upon the table to be printed was taken from the table and ordered to a third reading this afternoon at two o'clock.

House Bill No 166 (In Senate New Draft), An act in relation to the construction of curbing along the streets in the City of Manchester.

#### RECONSIDERATION OF VOTE.

Senator Tripp moved that the Senate reconsider House Bill No. 368, An act to amend the Primary and Election Laws.

On a *viva voce* vote the president was in doubt and called for a division.

Thirteen Senators having voted in the affirmative and two Senators having voted in the negative, the motion prevailed.

On motion of the same Senator the Senate voted to reconsider the vote whereby the above entitled bill was killed.

The question recurring: Shall the bill pass?

On a *viva voce* vote the affirmative prevailed and the bill passed.

The following message was received from the House of Representatives by its clerk:

## HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill 391, An act relative to the inspection and sale of coal.

## READ AND REFERRED.

The following entitled bill sent up from the House of Representatives was read a first and second time and referred:

To the Committee on the Judiciary:

House Bill No. 391, An act relative to the inspection and sale of coal.

On motion of Senator Branch the rules were suspended and all business in order for this afternoon at two o'clock was made in order at the present time.

## THIRD READINGS.

Agreeably to the foregoing motion and on motion of Senator Coulombe, the rules were suspended and the following entitled bill was read a third time by title and passed:

House Bill No. 166 (In New Draft), An act in relation to the construction of curbing along the streets in the City of Manchester.

On motion of Senator Hammond the following resolution was adopted:

*Resolved*, That when the Senate adjourns this morning, it adjourn to meet to-morrow morning at 9:30 o'clock, and when it adjourns Friday morning it be to meet Monday evening at 7:30 o'clock.

On motion of Senator Elder the Senate adjourned.

## FRIDAY, APRIL 20, 1923.

The Senate met according to adjournment.

There being manifestly no quorum present, President Adams declared the Senate adjourned until Monday evening 7:30 o'clock.

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## MONDAY, APRIL 23, 1923.

The Senate met according to adjournment.

On motion of Senator Lufkin the Senate adjourned.

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## TUESDAY, APRIL 24, 1923.

The Senate met according to adjournment.

## COMMITTEE REPORTS.

Senator Hurley for the Committee on Incorporations to whom was referred:

House Bill No. 348, An act to amend the Charter of the Concord Masonic Association, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

Senator Hurley for the Committee on Incorporations to whom was referred:

House Bill No. 293, An act relating to the issue of bonds by the Town of Hooksett, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

## MAJORITY AND MINORITY REPORT.

Senator Swasey for a majority of the Committee on Labor to whom was referred Senate Bill No. 31, An act in amendment of Section 1 of Chapter 156 of Laws of 1913, as

amended by Section 1 of Chapter 196 of the Laws of 1917, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

Senator Hagerty for a minority of the Committee on Labor to whom was referred Senate Bill No. 31, An act in amendment of Section 1 of Chapter 156 of Laws of 1913, as amended by Section 1 of Chapter 196 of the Laws of 1917 having considered the same, reported the same without amendment and recommended its passage.

The report of the majority was accepted.

Senator Hagerty moved that the report of the minority be substituted for that of the majority.

On a *viva voce* vote the negative prevailed.

Senator Coulombe demanded a roll-call.

The following named senators voted in the affirmative:

Senators Coulombe, Hagerty, Tripp, Orr, Branch, Osgood, Ham.

The following named senators voted in the negative:

Senators Ripley, Burns, Brown, Hammond, Jaquith, Lufkin, Holmes, Rice, Lane, Janelle, Elder, Swasey, Hodgdon.

Seven senators having voted in the affirmative and thirteen senators having voted in the negative, the negative prevailed and the motion was lost.

The following message was received from the House of Representatives by its clerk:

#### HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following bills and joint resolutions in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 238 (In New Draft), An act enlarging the powers of Moore's Falls Corporation.

House Bill No. 327, An act authorizing the appointment of a State Fuel Administrator.

House Bill No. 329, An act in amendment of Chapter 118

of the Session Laws of 1921, entitled: "An act to equalize the salaries of certain State officials and establish maximum salary limits."

House Bill No. 389, An act empowering the City of Nashua to incur debts to the amount of six per cent. of its valuation.

House Joint Resolution No. 30, Joint resolution in aid of the Spanish War Veterans.

House Joint Resolution No. 49, Joint resolution in favor of K. R. Foster.

House Joint Resolution No. 59, Joint resolution for repairs on State House and care of trees in yard.

The message further announced that the House of Representatives refused to concur with the Honorable Senate in the following Senate Bill:

Senate Bill No. 11, An act to prevent the desecration of Memorial Day.

The message also announced that the House of Representatives had passed the following resolution, in the passage of which it asks the concurrence of the Honorable Senate:

Whereas, It appears that all necessary legislative work may be easily accomplished by Friday, April 27, proximo, therefore be it

*Resolved*, by the House of Representatives, the Senate concurring, That the present session of the legislature be brought to final adjournment on Friday, April 27, proximo, at five o'clock in the afternoon, and be it further

*Resolved*, That all reports, bills and joint resolutions pending at that time in either branch of the legislature be indefinitely postponed.

Senator Brown moved that the above resolution be laid upon the table.

On a *viva voce* vote the affirmative prevailed.

Senator Coulombe called for a division.

Eighteen senators having voted in the affirmative and three senators having voted in the negative, the affirmative prevailed and the resolution was laid upon the table.

## READ AND REFERRED.

The following entitled bills and joint resolutions sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on the Judiciary:

House Bill No. 238 (In New Draft), An act enlarging the powers of Moore's Falls Corporation.

House Bill No. 327, An act authorizing the appointment of a State Fuel Administrator.

House Bill No. 329, An act in amendment of Chapter 118 of the Session Laws of 1921, entitled: "An act to equalize the salaries of certain State officials and establish maximum salary limits."

To the Committee on Revision of Laws:

House Bill No. 389, An act empowering the City of Nashua to incur debts to the amount of six per cent of its valuation.

To the Committee on Finance:

House Joint Resolution No. 59, Joint resolution for repairs on State House and care of trees in yard.

To the Committee on Claims:

House Joint Resolution No. 49, Joint resolution in favor of K. R. Foster.

To the Committee on Military Affairs:

House Joint Resolution No. 30, Joint resolution in aid of the Spanish War Veterans.

## INTRODUCTION OF BILLS.

Senator Ham, under a suspension of the rules, sixteen senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed, and referred:

To the Committee on Revision of Laws:

Senate Bill No. 37, An act designating the House of Correction of Strafford County as a Jail.

Senator Brown, under a suspension of the rules, sixteen senators having actually voted in favor thereof, introduced



the following entitled bill, which was read a first and second time, laid upon the table to be printed, and referred:

To the Committee on Roads, Bridges and Canals:

Senate Bill No. 38, An act with reference to Lyman Bridge in the Town of Monroe.

On motion of the same senator, the rules were further suspended, printing and reference to committee dispensed with, and the above entitled bill read a third time and passed.

On motion of Senator Tripp the Senate adjourned.

### AFTERNOON.

On motion of Senator Ripley the rules were suspended and the following entitled bill was read a third time by title and passed:

House Bill No. 348, An act to amend the Charter of the Concord Masonic Association.

The following message was received from the House of Representatives by its clerk:

### HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills and Joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 211, An act to authorize the improvement of water powers in this State by the construction and management of storage reservoirs.

House Bill No. 395, An act in amendment of Section 1, Chapter 93, Laws of 1919, requiring annual returns of corporations.

House Bill No. 394, An act in amendment of Paragraph 9, Section 1 of Chapter 83 of the Public Statutes, relating to paupers.

House Bill No. 396, An act to authorize the School District of the Town of Newmarket to exceed its limit of bonded indebtedness as fixed by Chapter 129, Laws of 1917.

House Joint Resolution No. 46, for improvements at New Hampshire State Sanatorium.

House Joint Resolution No. 67, for the repair of the Webster birthplace in Franklin.

House Joint Resolution No. 16, for the repair and improvement of highways in the Town of Brookfield.

House Joint Resolution No. 18, in favor of repairing Sugar Loaf Road in the Town of Alexandria.

House Joint Resolution No. 31, for the improvement of the Main Road in the Town of Tamworth from Whittier to Chocorua.

House Joint Resolution No. 35, for the repair of the highway leading from Dorchester to Lyme.

House Joint Resolution No. 45, for the improvement of a highway leading from Freedom to East Madison.

House Joint Resolution No. 50, to provide for a water supply and for improvement of land at the State Forest Nursery.

House Joint Resolution No. 53, for the improvement of the Main Road leading from Effingham Falls to South Effingham.

The message further announced that the House of Representatives had concurred with the Senate in the passage of the following bill:

Senate Bill No. 34 (In New Title and New Draft), An act to prohibit the sale and manufacture of inflammable stove polishes.

#### READ AND REFERRED.

The following entitled bills sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on the Judiciary:

House Bill No. 395, An act in amendment of Section 1, Chapter 93, Laws of 1919, requiring annual returns of corporations.

House Bill No. 396, An act to authorize the school district of the Town of Newmarket to exceed its limit of bonded indebtedness as fixed by Chapter 129, Laws of 1917.

To the Committee on Revision of Laws:

House Bill No. 211, An act to authorize the improvement of water powers in this State by the construction and management of storage reservoirs.

House Bill No. 394, An act in amendment of Paragraph 9, Section 1 of Chapter 83 of the Public Statutes, relating to paupers.

The following joint resolutions sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Roads, Bridges and Canals:

House Joint Resolution No. 16, Joint resolution for the repair and improvement of highways in the Town of Brookfield.

House Joint Resolution No. 18, Joint resolution in favor of repairing Sugar Loaf Road in the Town of Alexandria.

House Joint Resolution No. 31 (In New Draft), Joint resolution for the improvement of the Main Road in the Town of Tamworth from Whittier to Chocorua.

House Joint Resolution No. 35, Joint resolution for the repair of the highway leading from Dorchester to Lyme.

House Joint Resolution No. 45, Joint resolution for the improvement of highway leading from Freedom to East Madison.

House Joint Resolution No. 53, Joint resolution for the improvement of the Main Road leading from Effingham Falls to South Effingham.

To the Committee on Finance:

House Joint Resolution No. 67, Joint resolution for the repair of the Webster birthplace in Franklin.

To the Committee on Forestry:

House Joint Resolution No. 50, Joint resolution to provide for a water supply and for improvement of land at the State Forest Nursery.

To the Committee on Public Health:

House Joint Resolution No. 46, Joint resolution for improvements at New Hampshire State Sanatorium.

On motion of Senator Hurley, the Senate adjourned.

WEDNESDAY, APRIL 25, 1923.

The Senate met according to adjournment.

COMMITTEE REPORTS.

Senator Osgood for the Committee on Judiciary to whom was referred:

House Bill No. 191, An act in amendment of the laws relating to legacy and succession taxes.

House Bill No. 192, An act relating to the tax upon the transfer at death of personal property of non-residents.

House Bill No. 238 (In New Draft), An act enlarging the powers of Moore's Falls Corporation.

House Nill No. 372, An act relating to the rates of inheritance and succession taxes.

House Bill No. 377, An act providing for the propounding and prosecution of a claim by and in the name of the State of New Hampshire against the Federal Government for the recovery of taxes heretofore illegally assessed against citizens and residents of New Hampshire and paid by them.

House Bill No. 387, An act to authorize the conveyance of the interest of the State in a certain parcel of land in the Town of Haverhill to said town.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at 2 o'clock.

Senator Osgood for the Committee on Judiciary to whom was referred:

Senate Bill No. 29, An act in amendment of Section 3, Chapter 187 of the Session Laws for the Year 1913, relating to the registration of foreign corporations, having considered the same, reported the same in new draft and recommended its passage.

The report was accepted and the bill in its new draft was read a first and second time and laid upon the table to be printed.

Senator Osgood for the Committee on the Judiciary to whom was referred:

House Bill No. 380, An act relating to persons convicted of operating motor vehicles while under the influence of intoxicating liquor, having considered the same, reported the same in Senate new draft and recommended its passage.

The report was accepted and the bill in its new draft was read a first and second time and laid upon the table to be printed.

Senator Osgood for the Committee on the Judiciary to whom was referred:

House Bill No. 152 (In New Title and New Draft), An act relating to the distribution of the personal property of deceased persons, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Ham for the Committee on Public Health to whom was referred:

House Bill No. 284 (In New Draft), An act to regulate bakeries and bakery products, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Hurley for the Committee on Claims to whom was referred:

House Joint Resolution No. 24, Joint resolution in favor of George I. Philbrick.

House Joint Resolution No. 51, Joint resolution in favor of the Margaret Pillsbury Hospital and Dr. James W. Jameson.

House Joint Resolution No. 56, Joint resolution in favor of Henry Giddis.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the joint resolutions severally referred to the Committee on Finance.

## MAJORITY AND MINORITY REPORT.

Senator Ripley for a majority of the Committee on the Judiciary, to whom was referred Senate Bill No. 4, An act to provide for the division into day and night forces of permanent members of fire departments, having considered the same, reported the same with the following resolution.

*Resolved*, That it is inexpedient to legislate.

Senator Osgood for a minority of the Committee on the Judiciary, to whom was referred Senate Bill No. 4, An act to provide for the division into day and night forces of permanent members of fire departments, having considered the same, reported the same without amendment and recommended its passage.

The report of the majority was accepted.

Senator Hurley moved that the report of the minority be substituted for that of the majority.

The question being stated: Shall the motion prevail?

On a *viva voce* vote the negative prevailed.

Senator Janelle demanded a roll call.

The following named senators voted in the affirmative:

Senators Hagerty, Tripp, Branch, Osgood, Hurley, Janelle, Ham, Hodgdon.

The following named senators voted in the negative:

Senators Ripley, Burns, Brown, Hammond, Jaquith, Lufkin, Holmes, Rice, Lane, Orr, Elder, Swasey.

Eight senators having voted in the affirmative and twelve senators having voted in the negative, the negative prevailed and the motion to substitute was lost.

The question being upon the adoption of the resolution,

That it is inexpedient to legislate.

On a *viva voce* vote the affirmative prevailed and the resolution was adopted.

Senator Ripley, for the Committee on Engrossed Bills, to whom was referred House Bill No. 308, An act to regulate the salary of the Solicitor of Rockingham County, having considered the same reported the same under Joint Rule No. 6 with the following amendment and the recommendation that the bill as amended ought to pass.

Amend Section 2, of said bill by striking out the whole thereof and inserting in place thereof the following:

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and upon its passage this act shall take effect as of April 1, 1923.

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in Senate amendment.

Senator Ripley, for the Committee on Engrossed Bills, to whom was referred House Bill No. 351, An act in amendment of Chapter 177 of the Laws of 1917, entitled "An act to more effectively restrain agreements to regulate and fix prices of commodities in this State and do restrain combinations and monopolies in commodities and provide penalties therefor", having considered the same reported the same under Joint Rule No. 6 with the following amendment and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all of Section 1, and inserting in place thereof the following:

SECTION 1. Amend Chapter 177 of the Laws of 1917, by renumbering Sections 8 and 9, to read Sections 9 and 10, and by inserting a new section to read as follows:

SECT. 8. No organization enumerated in Section 7, or the members thereof, if they have a capital stock, shall be held or considered to be an illegal trust or conspiracy against trade, under this act, if they are operating in conformity with Chapter 57 of the Laws of the Second Session of the Sixty-Seventh Congress, entitled, "An act to authorize association of producers of agricultural products."

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in Senate amendment.

The following report from the Committee on Engrossed Bills was read and accepted:

#### BILLS ENGROSSED.

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 141, An act in amendment of Sub-division (b), Section 28, Chapter 133, Laws of 1915, relating to fish and game.

House Bill No. 299, An act relating to Antwerp or Homing pigeons.

House Bill No. 302, An act to regulate the shipment of live stock.

House Bill No. 306, An act enabling the Town of Ossipee to exempt from taxation certain property in that town to be used for hotel purposes.

House Bill No. 314, An act in amendment of Section 2, Chapter 120, Laws of 1909, relating to sentence to the State Prison.

House Bill No. 322, An act to amend paragraph (a), Section 16, Chapter 13, Laws of 1915, as amended by Section 11, Chapter 152, Laws of 1919, relating to gray squirrels.

House Bill No. 356, An act relating to the issue of bonds by the school district of the Town of Salem.

House Bill No. 363, An act in amendment of the Charter of the City of Somersworth.

House Bill No. 365, An act to legalize certain acts of the Bethlehem Village Precinct and to authorize the precinct to issue bonds to refund outstanding water bonds.

House Bill No. 368, An act to amend the primary and election laws.

#### REPORT OF THE COMMITTEE OF CONFERENCE.

The committee of conference on House Bill 204, having considered the disagreement between the Senate and House, have reached a conclusion, and submit the following report:

That the bill as amended by the Senate be further amended by striking out the words "sixty-five" in the last line but one of Section 1, of the bill and substituting therefor the word "seventy"; so that said Section 1, shall read as follows:

SECTION 1. Any town not maintaining a high school or school of corresponding grade shall pay for the tuition of any



child who with parents or guardian resides in said town and who attends a high school or academy in the same or another town or city in this State; and the parent or guardian of such child shall notify the school board of the district in which he resides of the high school or academy which he has determined to attend: *Provided, however*, that no town shall be liable for tuition of a child in any school in excess of the average cost per child of instruction for the regularly employed teachers of that school and the cost of text books, supplies and apparatus during the school year preceding, nor in any case shall the town be liable for tuition for any child in excess of seventy dollars and in senior high school work only.

JOHN F. SWASEY,  
JOHN A. HAMMOND,  
HERMAN C. RICE,

*Conferees on the part of the Senate.*

JAMES O. LYFORD,  
WILLIAM H. BARRY,  
GEO. H. DUNCAN.

*Conferees on the part of the House.*

The report was accepted, recommendation of the committee adopted, and the report sent to the House of Representatives for concurrence.

The following message was received from the House of Representatives by its clerk:

HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 397, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1924.

House Bill No. 398, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1925.

House Bill No. 392, An act in amendment of Chapter 73, of the Laws of 1921, An act to regulate and limit the investments of savings banks.

House Bill No. 384, An act in amendment of Section 2, Chapter 116, Laws of 1913, relating to caboose cars.

House Bill No. 385, An act relating to the New Hampshire College of Agriculture and the Mechanic Arts and establishing the University of New Hampshire.

House Bill No. 241 (In New Draft), An act relating to the regulation of building and the location of trades and industries in cities and towns.

House Bill No. 163, An act in amendment of Chapter 212 of the Laws of 1913, relating to advertisements during strikes, lockouts or other labor disputes.

House Bill No. 79, An act in amendment of Section 7 of Chapter 58 of the Laws of 1915, entitled: "An act creating a Board of Bank Commissioners and abolishing the office of State Auditor."

The message further announced that the House of Representatives had voted to concur with the Honorable Senate in the passage of the following entitled bills:

Senate Bill No. 33, An act relative to the official bond of the treasurer of counties.

Senate Bill No. 38, An act with reference to Lyman Bridge in the Town of Monroe.

House Bill No. 166 (In Senate New Draft), An act in relation to the construction of curbing along the streets in the City of Manchester.

The message also announced that the House of Representatives had voted to concur with the Honorable Senate in the passage of the following entitled bill, with an amendment in the passage of which amendment it asks the concurrence of the Honorable Senate:

Senate Bill No. 32, An act to provide safety exit facilities for school houses.

Amend the bill by striking out in Section 1 the words "night latch attachments" and inserting in place thereof after the word "bolts" in the same line the words "except

to hold one half of a double door" so that said section, as amended, shall read as follows:

SECTION 1. Authorities in charge of all buildings used for school purposes of two or more rooms or where fifty or more pupils may be in attendance, shall, upon the passage of this act, equip, or cause to be equipped, at least one outside door regularly used as an exit, with key locks that can be locked on the outside only, but that can always be easily opened on the inside by simply turning the knob or pressing the release bar. The use of bolts, except to hold one half of a double door, hooks, thumb knobs, or other locking devices upon such outside doors shall be prohibited.

On motion of Senator Swasey the Senate voted to concur with the House of Representatives in the foregoing amendment.

#### READ AND REFERRED.

The following bills sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Judiciary:

House Bill No. 241 (In New Draft), An act relating to the regulation of building and the location of trades and industries in cities and towns.

House Bill No. 385, An act relating to the New Hampshire College of Agriculture and the Mechanic Arts and establishing the University of New Hampshire.

To the Committee on Banks:

House Bill No. 79, An act in amendment of Section 7 of Chapter 58 of the Laws of 1915, entitled: "An act creating a Board of Bank Commissioners and abolishing the office of State Auditor."

House Bill No. 392, An act in amendment of Chapter 73, of the Laws of 1921, An act to regulate and limit the investments of savings banks.

To the Committee on Labor:

House Bill No. 163, An act in amendment of Chapter 212 of the Laws of 1913, relating to advertisements during strikes, lockouts or other labor disputes.

To the Committee on Railroads:

House Bill No. 384, An act in amendment of Section 2, Chapter 116, Laws of 1913, relating to caboose cars.

On motion of Senator Orr the rules were suspended and the following entitled bills sent up from the House of Representatives were severally read a first and second time by title and referred:

To the Committee on Finance:

House Bill No. 397, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1924.

House Bill No. 398, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1925.

#### INTRODUCTION OF BILL.

Senator Ripley, under a suspension of the rules, sixteen senators having actually voted in favor thereof, introduced the following entitled bill, which was read a first and second time, laid upon the table to be printed, and referred:

To the Committee on Judiciary:

Senate Bill No. 39, An act in amendment of Section 16, Chapter 92, Laws of 1919, as amended by Chapter 97, Laws of 1921, said act relating to business corporations.

#### INTRODUCTION OF COMMITTEE REPORT.

Senator Osgood moved that the rules be so far suspended as to allow the introduction of the following committee report:

The Committee on Judiciary, to whom was referred House Bill No. 245, An act for the partial exemption of certain property to be used for hotel purposes in the City of Manchester, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

On motion of Senator Swasey the Senate adjourned.

## AFTERNOON.

## THIRD READINGS.

The following entitled bills were severally read a third time and passed:

House Bill No. 192, An act relating to the tax upon the transfer at death of personal property of non-residents.

House Bill No. 238 (In New Draft), An act enlarging the powers of Moore's Falls Corporation.

House Bill No. 245, An act for the partial exemption of certain property to be used for hotel purposes in the City of Manchester.

House Bill No. 372, An act relating to the rates of inheritance and succession taxes.

House Bill No. 387, An act to authorize the conveyance of the interest of the State in a certain parcel of land in the Town of Haverhill to said town.

On motion of Senator Coulombe, the rules were suspended and the following entitled bill was read a third time by title and passed:

House Bill No. 191, An act in amendment of the laws relating to legacy and succession taxes.

On motion of Senator Osgood, the rules were suspended and the following entitled bill was read a third time by title and passed:

House Bill No. 377, An act providing for the propounding and prosecution of a claim by and in the name of the State of New Hampshire against the Federal Government for the recovery of taxes heretofore illegally assessed against citizens and residents of New Hampshire and paid by them.

The following message was received from the House of Representatives by its clerk:

## HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 359, An act in relation to standard time.

House Bill No. 399, An act in amendment of Section 1, Chapter 30, Laws of 1915, relating to municipal courts.

House Bill No. 400, An act authorizing the Town of Alton to vote to exempt from local taxes a proposed dam on Merrymeeting River.

The message further announced that the House of Representatives had concurred with the Senate in the passage of the following bills:

Senate Bill No. 7 (In House New Draft in Senate), An act in relation to the foreclosure of power of sale mortgages of real estate.

#### READ AND REFERRED.

The following entitled bills sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Judiciary:

House Bill No. 359, An act in relation to standard time.

House Bill No. 400, An act authorizing the Town of Alton to vote to exempt from local taxes a proposed dam on Merrymeeting River.

To the Committee on Revision of Laws:

House Bill No. 399, An act in amendment of Section 1, Chapter 30, Laws of 1915, relating to municipal courts.

#### INTRODUCTION OF COMMITTEE REPORTS.

On motion of Senator Ham, the rules were so far suspended as to allow the introduction of the following committee report:

The Committee on Public Health to whom was referred House Joint Resolution No. 46, Joint resolution for improvements at New Hampshire State Sanatorium, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the joint resolution referred to the Committee on Finance.

On motion of Senator Hagerty, the rules were so far sus-

pending as to allow the introduction of the following committee report:

The Committee on Military Affairs to whom was referred House Joint Resolution No. 30, Joint resolution in aid of the Spanish War Veterans, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the joint resolution referred to the Committee on Finance.

On motion of Senator Coulombe, the rules were so far suspended as to allow the introduction of the following committee report:

Senate Bill No. 37, An act designating the House of Correction of Strafford County as a jail, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading to-morrow morning at 11 o'clock.

On motion of Senator Ham, the rules were suspended and the foregoing entitled bill was read a third time, passed and sent to the House of Representatives for concurrence.

On motion of Senator Tripp the following resolution was adopted.

*Resolved*, That when the Senate adjourns this afternoon, it adjourn to meet Friday evening at 7.30 o'clock, and when it adjourns Friday evening it be to meet Monday evening at 7.30 o'clock.

On motion of Senator Hammond, the Senate adjourned.

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FRIDAY, APRIL 27, 1923.

The Senate met according to adjournment.

There being manifestly no quorum present, President Adams declared the Senate adjourned until Monday evening, 7.30 o'clock.

MONDAY, APRIL 30, 1923.

The Senate met according to adjournment.

On motion of Senator Lufkin the Senate adjourned.

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TUESDAY, MAY 1, 1923.

The Senate met according to adjournment.

COMMITTEE REPORTS.

Senator Ripley, for the Committee on Judiciary, to whom was referred:

House Bill No. 209, An act to make uniform the law relating to the sale of goods and known as The Uniform Sales Act.

House Bill No. 329, An act in amendment of Chapter 118 of the Session Laws of 1921, entitled: "An act to equalize the salaries of certain State officials and establish maximum salary limits."

House Bill No. 353, An act relating to pensions for employees of the City of Nashua.

House Bill No. 395, An act in amendment of Section 1, Chapter 93, Laws of 1919, requiring annual returns of corporations.

House Bill No. 396, An act to authorize the school district of the Town of Newmarket to exceed its limit of bonded indebtedness, as fixed by Chapter 129, Laws of 1917.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at two o'clock.

Senator Ripley, for the Committee on Judiciary, to whom was referred House Bill No. 14 (In New Draft), An act in amendment of Chapter 80 of the Laws of 1907, relating to marriages, having considered the same, reported the same in Senate new draft and recommended its passage.

The report was accepted and the bill in its new draft was



read a first and second time and laid upon the table to be printed.

Senator Coulombe, for the Committee on Revision of Laws, to whom was referred:

House Bill No. 221 (In New Draft), An act in amendment of and addition to Chapter 78, Laws of 1897, as amended by Chapter 30, Laws of 1919, relating to the creation of voting districts and additional polling places in city wards.

House Bill No. 370, An act relating to Motor Vehicles.

House Bill No. 394, An act in amendment of Paragraph IX of Section 1 of Chapter 83 of the Public Statutes, relating to paupers.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at two o'clock.

Senator Lufkin, for the Committee on Forestry, to whom was referred:

House Bill No. 354, An act to provide for the taxation of growing timber on woodlots not exceeding fifty acres.

House Bill No. 371, An act relating to an abatement of state and county taxes to towns having forest lands in the possession of the National Government.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at two o'clock.

Senator Lufkin, for the Committee on Forestry, to whom was referred House Bill No. 201, An act in amendment of Section 16 of Chapter 56 of the Public Statutes as amended by Chapter 82 of the Laws of 1911, relating to the taxation of wood and lumber, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

The following message was received from the House of Representatives by its clerk:

## HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 151, An act relating to contracts for labor.

House Bill No. 230, An act to provide additional accommodations at the New Hampshire State Hospital.

House Bill No. 231, An act in amendment of Section 1 of Chapter 41 of the Laws of 1921, relating to the exemption from taxation of the property of educational, charitable, religious and other societies and institutions.

House Bill No. 273, An act relating to poll tax of soldiers' widows.

House Bill No. 382, An act in amendment of Chapter 147, Laws of 1915, relating to temporary absences of patients from the State Hospital.

House Bill No. 383, An act in amendment of Section 5, Chapter 55, Laws of 1919, as amendment by Section 3, Chapter 120, Laws of 1921, relating to permit fees on motor vehicles.

House Bill No. 402, An act in amendment of Section 6, Chapter 103, Laws of 1915, relating to the report of the highway commissioner.

House Joint Resolution No. 32, to provide for cooperation with the United States Geological Survey in the establishment and maintenance of stream flow gaging station.

House Joint Resolution No. 48, in favor of the New Hampshire State Prison.

House Joint Resolution No. 55, providing for the making of improvements, purchase of property and necessary repairs upon the buildings and grounds of the New Hampshire Veterans' Association at the Weirs for the fiscal years 1923-24 and 1924-25.

House Joint Resolution No. 62, in favor of appropriation for the purpose of additional State School Aid for the current year.

House Joint Resolution No. 27, providing for extraordi-

nary repairs and replacements at the New Hampshire State Hospital.

The message further announced that the House of Representatives concurred with the Honorable Senate in the passage of the following entitled bill, with amendment, in the passage of which amendment the House asks the concurrence of the Honorable Senate:

Senate Bill No. 10, An act in amendment of Chapter 56 of the Public Statutes as amended by Chapter 12, of the Laws of 1921, relating to the exemption from taxation of Veterans of the War of the Rebellion, the Spanish-American War, the Philippine Insurrection, the World War, and their Wives and Widows.

Amend Senate Bill No. 10, by striking out all after the enacting clause and inserting in place thereof the following:

SECTION 1. Amend Section 2, Chapter 56 of the Public Statutes, as amended by Section 1, Chapter 12, Laws of 1921, by inserting after the word "Insurrection" in lines 4 and 10, the words "or of the World War or of any other wars in which the United States has been engaged" so that said section, as amended, shall read as follows:

SECT. 2. Any soldier, sailor or marine of the War of the Rebellion, or of the Spanish-American War, or of the Philippine Insurrection, or of the World War, or of any other wars in which the United States has been engaged, who shall present to the selectmen or assessors of the town in which he lives, for inspection and record, his pension certificate awarding to such soldier, sailor or marine an invalid pension of any amount, or an honorable discharge of such soldier, sailor or marine from the service of the United States in said Rebellion or said Spanish-American War or said Philippine Insurrection, or said World War or any other wars in which the United States has been engaged, shall thereafter be exempt from levy of poll tax.

SECT. 2. Amend Section 4, Chapter 56 of the Public Statutes, as amended by Section 2, Chapter 12, Laws of 1921, as amended by Section 1, Chapter 103, Laws of 1921, by inserting in line 10 after the figures "1918" the words

“or of any other wars in which the United States has been engaged”; further amend by inserting in line 15 after the word “Insurrection” the words “or of the World War or of any other war in which the United States has been engaged” so that said section, as amended, shall read as follows:

SECT. 4. The selectmen of towns and the assessors of cities in their discretion may exempt any other soldier, sailor or marine who served in the War of the Rebellion, or the Spanish-American War, or the Philippine Insurrection, or the World War prior to November 12, 1918, or of any other wars in which the United States has been engaged, and is disabled in consequence of such service, from paying a poll tax, and every soldier, sailor or marine residing in New Hampshire who served for thirty days or more in the army of the United States during the War of the Rebellion, or the Spanish-American War, or the Philippine Insurrection, or the World War, or of any other wars in which the United States has been engaged, and received an honorable discharge from that service, and the wife or widow of any such soldier, sailor or marine in consideration or recognition of such service, shall be exempt each year from taxation upon his taxable property to the value of one thousand dollars; provided, such soldier, sailor or marine and his wife, if any, shall not own property to the value of five thousand dollars or more.

Senator Branch moved that the Senate concur with the House of Representatives in the adoption of the foregoing amendment.

On a *viva voce* vote, the Chair was in doubt and called for a division.

Nine senators having voted in the affirmative and seven senators having voted in the negative, the affirmative prevailed and the Senate concurred in the adoption of the foregoing amendment.

#### READ AND REFERRED.

The following entitled bills sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on the Judiciary:

House Bill No. 231, An act in amendment of Section 1 of Chapter 41 of the Laws of 1921, relating to the exemption from taxation of the property of educational, charitable, religious and other societies and institutions.

House Bill No. 273, An act relating to poll tax of soldiers' widows.

House Bill No. 382, An act in amendment of Chapter 147, Laws of 1915, relating to temporary absences of patients from the State Hospital.

House Bill No. 383, An act in amendment of Section 5, Chapter 55, Laws of 1919, as amended by Section 3, Chapter 120, Laws of 1921, relating to permit fees on motor vehicles.

To the Committee on Revision of Laws:

House Bill No. 402, An act in amendment of Section 6, Chapter 103, Laws of 1915, relating to the report of the highway commissioner.

To the Committee on Labor:

House Bill No. 151, An act relating to contracts for labor.

To the Committee on Finance:

House Bill No. 230, An act to provide additional accommodations at the New Hampshire State Hospital.

The following joint resolutions sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Finance:

House Joint Resolution No. 27, Joint resolution providing for extraordinary repairs and replacements at the New Hampshire State Hospital.

House Joint Resolution No. 48, Joint resolution in favor of the New Hampshire State prison.

House Joint Resolution No. 55, Joint resolution providing for the making of improvements, purchase of property and necessary repairs upon the buildings and grounds of the New Hampshire Veterans' Association at the Weirs for the fiscal years 1923-24 and 1924-25.

To the Committee on Public Improvements:

House Joint Resolution No. 32, Joint resolution to pro-

vide for cooperation with the United States Geological Survey in the establishment and maintenance of stream flow gaging station.

To the Committee on Education:

House Joint Resolution No. 62, Joint resolution in favor of appropriation for the purpose of additional State School Aid for the current year.

#### TAKEN FROM THE TABLE.

The following entitled bill was taken from the table and ordered to a third reading this afternoon at 2 o'clock.

Senate Bill No. 29, An act in amendment of Section 3, Chapter 187 of the Session Laws for the Year 1913, relating to the registration of Foreign Corporations.

The following entitled bill was taken from the table:

House Bill No. 380 (In Senate New Draft), An act relating to persons convicted of operating motor vehicles while under the influence of intoxicating liquor.

Senator Swasey moved that the following amendment be adopted:

Amend the bill by adding at the end of Section 1, the following:

And in either case no court before whom the party is convicted shall have authority to suspend the sentence.

On a *viva voce* vote, the chair was in doubt and called for a division.

Ten Senators having voted in the affirmative and nine Senators having voted in the negative, the affirmative prevailed, the amendment was adopted and the bill as amended ordered to a third reading this afternoon at 2 o'clock.

#### INTRODUCTION OF BILL.

Senator Hagerty under a suspension of the rules, sixteen senators having actually voted in favor thereof, introduced the following entitled bill which was read a first and second time, laid upon the table to be printed and referred:

To the Committee on Railroads:

Senate Bill No. 40, An act relating to the use of air bells on locomotives.

#### INTRODUCTION OF COMMITTEE REPORTS.

On motion of Senator Coulombe, the rules were so far suspended as to allow the introduction of the following committee reports:

The Committee on Revision of Laws to whom was referred House Bill No. 389, An act empowering the City of Nashua to incur debts to the amount of six per cent of its valuation, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

The Committee on Revision of Laws to whom was referred Senate Bill No. 36, An act to amend Chapter 126 of the Laws of 1907, relating to water-works owned by towns, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

On motion of Senator Brown, the Senate adjourned.

#### AFTERNOON.

#### THIRD READINGS.

The following entitled bill was read a third time and passed:

House Bill No. 396, An act to authorize the School District of the Town of Newmarket to exceed its limit of bonded indebtedness as fixed by Chapter 129, Laws of 1917.

On motion of Senator Tripp the rules were suspended and the following entitled bills were read a third time by title and passed:

House Bill No. 209, An act to make uniform the law relating to the sale of goods and known as The Uniform Sales Act.

House Bill No. 221 (In New Draft), An act in amend-

ment of and addition to Chapter 78, Laws of 1897, as amended by Chapter 30, Laws of 1919, relating to the creation of voting districts and additional polling places in city wards.

House Bill No. 329, An act in amendment of Chapter 118 of the Session Laws of 1921, entitled: "An act to equalize the salaries of certain State officials and establish maximum salary limits."

House Bill No. 353, An act relating to pensions for employees of the City of Nashua.

House Bill No. 370, An act relating to motor vehicles.

House Bill No. 371, An act relating to an abatement of State and county taxes to towns having forest lands in the possession of the National Government.

House Bill No. 389, An act empowering the City of Nashua to incur debts to the amount of six per cent. of its valuation.

House Bill No. 394, An act in amendment of Paragraph IX of Section 1 of Chapter 83 of the Public Statutes, relating to paupers.

House Bill No. 395, An act in amendment of Section 1, Chapter 93, Laws of 1919, requiring annual returns of corporations.

Agreeably to the above motion the following entitled bill was read a third time by title:

House Bill No. 380 (Senate New Draft), An act relating to persons convicted of operating motor vehicles while under the influence of intoxicating liquor.

The question being stated: Shall the bill pass?

On motion of Senator Ripley the above entitled bill was recommitted to the Committee on Judiciary.

Senator Hagerty requested that the following entitled bill be read a third time:

House Bill No. 354, An act to provide for the taxation of growing timber on woodlots not exceeding fifty acres.

The question being stated: Shall the bill pass?

(Discussion ensued.)



On a *viva voce* vote the negative prevailed.

Senator Lufkin demanded a roll-call.

The following named senators voted in the affirmative:

Senators Coulombe, Ripley, Lufkin, Rice, Lane, Hagerty, Tripp, Branch, Osgood, Hurley, Janelle.

The following named senators voted in the negative:

Senators Burns, Brown, Hammond, Jaquith, Holmes, Ham, Elder, Swasey, Hodgdon.

Eleven senators having voted in the affirmative and nine senators having voted in the negative, the affirmative prevailed and the bill passed.

On motion of Senator Tripp the rules were suspended and the following entitled bill was read a third time by title, passed and sent to the House of Representatives for concurrence:

Senate Bill No. 29 (In New Draft), An act in amendment of Section 3, Chapter 187 of the Session Laws for the Year 1913, relating to the registration of Foreign Corporations.

The following message was received from the House of Representatives by its clerk:

#### HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills, and joint resolutions in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 26, Joint resolution for improvements at the School for Feeble-Minded Children.

House Joint Resolution No. 65, Joint resolution in favor of Charles H. Chandler.

House Joint Resolution No. 66, Joint resolution in favor of Clarence G. Gove.

House Bill No. 111, An act relating to the salary of the deputy register of probate for the County of Merrimack.

House Bill No. 172, An act relating to the salary of the Motor Vehicle Commissioner.

House Bill No. 326, An act in amendment of Chapter 220 of the Laws of 1917, entitled "An act relating to the salaries

of certain State Officials, in amendment of Section 11, Chapter 286, of the Public Statutes."

House Bill No. 386 (In New Draft and New Title), An act concerning the granting of permits for the soliciting of funds for charitable purposes and for the sale of tags, flowers or other objects for charitable purposes.

House Bill No. 403, An act to authorize a proposed village sewer district in the Town of Derry to borrow money and to issue bonds.

House Bill No. 28, An act for the taxing of income derived from intangibles.

House Bill No. 46, An act in amendment of Section 1, Chapter 87 of the Public Statutes in relation to the maintenance of bastard children.

House Joint Resolution No. 4, Joint resolution to enable the State to co-operate with the United States in the promotion of the welfare and hygiene of maternity and infancy in the State of New Hampshire.

The message further announced that the House of Representatives concurred with the Honorable Senate in the passage of the following entitled bill, with amendment, in the passage of which amendment the House asks the concurrence of the Honorable Senate:

Senate Bill No. 17, An act referring to the salary of the State Agent of the Blind.

Amend Section 1 by striking out the word "eighteen" in line 2 and inserting in place thereof the word "fifteen," so that said section, as amended, shall read as follows:

SECTION 1. The salary of the State Agent of the Blind is hereby fixed at fifteen hundred dollars per year.

On motion of Senator Hurley, the Senate voted to concur with the House of Representatives in the adoption of the foregoing amendment.

#### READ AND REFERRED.

The following entitled bills sent up from the House of Representatives were severally read a third time and referred:

To the Committee on Judiciary:

House Bill No. 111, An act relating to the salary of the Deputy Register of Probate for the County of Merrimack.

House Bill No. 172, An act relating to the salary of the Motor Vehicle Commissioner.

House Bill No. 326, An act in amendment of Chapter 220 of the Laws of 1917, entitled: "An act relating to the salaries of certain State officials, in amendment of Section 11, Chapter 286, of the Public Statutes.

House Bill No. 386 (In New Draft and New Title), An act concerning the granting of permits for the soliciting of funds for charitable purposes and for the sale of tags, flowers or other objects for charitable purposes.

House Bill No. 403, An act to authorize a proposed village sewer district in the Town of Derry to borrow money and to issue bonds.

On motion of Senator Ripley, the rules were suspended and the following entitled bill sent up from the House of Representatives was read a first and second time by title and referred:

To the Committee on Judiciary:

House Bill No. 28, An act for the taxing of incomes derived from intangibles.

The following entitled bill sent up from the House of Representatives was read a first time:

House Bill No. 46, An act in amendment of Section 1, Chapter 87 of the Public Statutes in relation to the maintenance of bastard children.

The question being stated: Shall the bill be read a second time?

On a *viva voce* vote the President was in doubt and called for a division.

One senator having voted in the affirmative and ten senators having voted in the negative, the negative prevailed and the bill was denied a second reading.

The following joint resolutions sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Public Health:

House Joint Resolution No. 4, Joint resolution to enable the State to cooperate with the United States in the promotion of the welfare and hygiene of maternity and infancy in the State of New Hampshire.

To the Committee on School for Feeble Minded:

House Joint Resolution No. 26, Joint resolution for improvements at the school for feeble-minded children.

To the Committee on Claims:

House Joint Resolution No. 65, Joint resolution in favor of Charles H. Chandler.

House Joint Resolution No. 66, Joint resolution in favor of Clarence G. Gove.

#### REPORT OF THE COMMITTEE OF CONFERENCE.

The Committee of Conference appointed to consider House Bill No. 252, An act in amendment of Section 4, Chapter 76, Laws of 1895, relating to the protection from pollution of sources of water used for domestic purposes, having considered the same, recommend that the Senate recede from its position in adopting the amendment to Section 1 of said bill.

W. A. HODGDON,  
H. FOSTER ELDER,

*Senate Conferees.*

ROBERT M. WRIGHT,  
NATHANIEL E. MARTIN,  
EMMA L. BARTLETT,

*House Conferees.*

On motion of Senator Hodgdon, the Senate voted to recede from its position and adopt the recommendation of the Committee of Conference.

#### COMMITTEE REPORTS.

On motion of Senator Swasey the rules were so far suspended as to allow the introduction of the following committee report:

The Committee on Education to whom was referred:

House Bill No. 366, An act in amendment of Chapter 125, Laws of 1921, providing for a reduction in the allotments of State aid for schools when the appropriation is insufficient to meet the approved claims of the school districts, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading to-morrow morning at 11 o'clock.

#### INTRODUCTION OF COMMITTEE BILL.

The Committee on Judiciary, having considered the subject matter, reported the following entitled new bill and recommended its passage:

Senate Bill No. 41, An act to regulate the supply of fuel.

The above entitled bill was read a first and second time and laid upon the table to be printed under the rules.

On motion of Senator Ripley, the rules were suspended, printing dispensed with and the bill ordered to a third reading and final passage at the present time.

On motion of Senator Tripp, the rules were further suspended and the bill read a third time by title and passed.

On motion of Senator Hurley, the Senate adjourned.

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#### WEDNESDAY, MAY 2, 1923.

The Senate met according to adjournment.

#### COMMITTEE REPORTS.

Senator Hammond, for the Committee on Finance, to whom was referred:

Senate Joint Resolution No. 4, Joint resolution in favor of Euclide and Marie Halde, parents of Wilfred X. Halde, formerly Private Battery "B", 172nd Field Artillery, New Hampshire National Guard: Killed September 23, 1922, at Concord, New Hampshire.

House Joint Resolution No. 30, Joint resolution in aid of the Spanish-War Veterans.

House Joint Resolution No. 46, Joint resolution for improvement at New Hampshire State Sanatorium.

House Joint Resolution No. 51, Joint resolution in favor of the Margaret Pillsbury General Hospital and Dr. James W. Jameson.

House Joint Resolution No. 56, Joint resolution in favor of Henry Giddis.

House Joint Resolution No. 59, Joint resolution for repairs on State House and care of trees in yard.

House Joint Resolution No. 60, Joint resolution providing for the deficiency of the New Hampshire School for Feeble-Minded Children.

House Joint Resolution No. 67, Joint resolution for the repair of the Webster Birthplace in Franklin.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the joint resolutions severally ordered to a third reading this afternoon at two o'clock.

Senator Lufkin, for the Committee on Forestry, to whom was referred House Joint Resolution No. 50, Joint resolution to provide for a water supply and for improvement of land at the State Forest Nursery, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report of the committee was accepted.

On motion of Senator Tripp the above joint resolution was recommitted to the Committee on Forestry.

Senator Hammond, for the Committee on Finance, to whom was referred House Bill No. 267, An act to amend Chapter 38, Laws of 1913, An act for the bi-weekly payment for all State employees except salaried officers, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Elder, for the Committee on Fisheries and Game, to whom was referred House Bill No. 290 (In New Draft),

An act in amendment of Section 23, Chapter 133, Laws of 1915, and Section 20, Chapter 133, Laws of 1915, in relation to pheasants, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Elder, for the Committee on Fisheries and Game, to whom was referred House Bill No. 251, An act in amendment of Sub-division (d), Section 40, Chapter 133, Laws of 1915, relating to Fish and Game, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Elder, for the Committee on Fisheries and Game, to whom was referred House Bill No. 281 (In New Title and New Draft), An act in amendment of Sub-division (a), Section 14, Chapter 133, Laws of 1915, as amended by Section 5, Chapter 184, Laws of 1917, as amended by Section 3, Chapter 152, Laws of 1919, as amended by Section 1, Chapter 141, Laws of 1921, relating to open season on deer, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Elder, for the Committee on Fisheries and Game, to whom was referred House Bill No. 374, An act authorizing permits to kill injurious animals, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

On motion of Senator Coulombe the above entitled bill was recommitted to the Committee on Fisheries and Game.

Senator Jaquith, for the Committee on Roads, Bridges and Canals, to whom was referred:

House Bill No. 76, An act in amendment of Section 16 of Chapter 155, Laws of 1921, relating to the permanent construction of highway bridges throughout the State.

The report was accepted and the bill referred to the Committee on Finance.

House Bill No. 50 (New Draft), An act in amendment of Section 4, Chapter 168, Laws of 1913, relating to the State highway from Merrimaack Valley Road to East Side Route.

House Bill No. 23, An act regulating the practice of chaining wheels on hills.

House Bill No. 360, An act relative to the law of the road.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at two o'clock.

Senator Jaquith, for the Committee on Roads, Bridges and Canals, to whom was referred House Bill No. 222 (In New Title and New Draft), An act relating to damages happening in the use of highways, and repealing Section 1, Chapter 59, Laws of 1893, as amended by Chapter 48, Laws of 1915, and repealing Sections 7, 8, 9 and 10 of Chapter 76 of the Public Statutes, and any other statute inconsistent with this act, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Hammond, for the Committee on Agriculture, to whom was referred House Bill No. 325 (In New Draft), An act to regulate the sale of grain, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

#### MAJORITY AND MINORITY REPORTS.

Senator Hodgdon, for a majority of the Committee on Public Health, to whom was referred House Bill No. 242, An act relating to the vaccination of school children, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.



Senator Ham, for a minority of the Committee on Public Health, to whom was referred House Bill No. 242, An act relating to the vaccination of school children, having considered the same reported the same without amendment and recommended its passage.

The report of the majority was accepted.

Senator Ham moved that the report of the minority be substituted for that of the majority.

The question being stated: Shall the motion prevail?

(Discussion ensued.)

Senator Ham demanded a roll-call.

The clerk proceeded to call the roll:

The following named senators voted in the affirmative:

Senators Ripley, Lufkin, Holmes, Osgood, Ham.

The following named senators voted in the negative:

Senators Coulombe, Burns, Brown, Hammond, Jaquith, Rice, Lane, Hagerty, Tripp, Hurley, Janelle, Elder, Swasey, Hodgdon.

Five senators having voted in the affirmative and fourteen senators having voted in the negative, the negative prevailed and the motion to substitute the minority report was lost.

Senator Ham moved that the bill with the following amendment to be substituted for the majority report that it is inexpedient to legislate.

Amend bill by inserting the following new section to be Section 2:

SECT. 2. All persons after the first vaccination shall be vaccinated once in every seven years.

Further amend by renumbering Section 2 Section 3.

Senator Hodgdon moved that the above amendment be laid upon the table.

On a *viva voce* vote the affirmative prevailed.

Senator Lufkin demanded a roll-call.

The clerk proceeded to call the roll.

The following named senators voted in the affirmative:

Senators Coulombe, Burns, Brown, Hammond, Jaquith,

Rice, Lane, Hagerty, Tripp, Osgood, Hurley, Janelle, Elder, Hodgdon.

The following named senators voted in the negative:

Senators Ripley, Lufkin, Holmes, Ham, Swasey.

Fourteen senators having voted in the affirmative and five senators having voted in the negative, the affirmative prevailed and the amendment was laid upon the table.

On a *viva voce* vote the report of the majority that it is inexpedient to legislate was adopted.

Senator Ripley for a majority of the Committee on Revision of Laws, to whom was referred House Bill No. 211, An act to authorize the improvement of water powers in this State by the construction and management of storage reservoirs, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

Senator Coulombe for a minority of the Committee on Revision of Laws, to whom was referred House Bill No. 211, An act to authorize the improvement of water powers in this State by the construction and management of storage reservoirs, having considered the same, reported the same without amendment and recommended its passage.

The report of the majority was accepted.

Senator Coulombe moved that the report of the minority be substituted for that of the majority.

The question being stated: Shall the motion prevail?

On a *viva voce* vote the negative prevailed.

Senator Hagerty demanded a roll call.

The clerk proceeded to call the roll.

The following named senators voted in the affirmative:

Senators Coulombe, Lane, Hagerty, Tripp, Osgood, Hurley, Janelle, Hodgdon.

The following named senators voted in the negative:

Senators Ripley, Burns, Brown, Hammond, Jaquith, Lufkin, Holmes, Rice, Ham, Elder, Swasey.

Eight senators having voted in the affirmative and eleven senators having voted in the negative, the negative prevailed and the motion was lost.

On a *viva voce* vote, the report of the committee that it is inexpedient to legislate was adopted.

Senator Osgood for the Committee on Engrossed Bills to whom was referred:

House Bill No. 367, An act in amendment of Chapter 208 of the Laws of 1883, entitled: "An act to incorporate the New Hampshire Odd Fellows' Widows' and Orphans' Home," as amended by Chapter 174 of the Laws of 1885, having considered the same, reported the same under Joint Rule 6 with the following amendments with the recommendation that the bill as amended ought to pass:

Amend the title of said bill by striking out the whole thereof and inserting in place thereof the following title:

"An act in amendment of the Charter of the New Hampshire Odd Fellows' Home."

Amend Section 1 of said act by striking out the whole thereof down to and including the word "follows" in the eighth line and inserting in place thereof the following:

"Amend Section 2, Chapter 208, Laws of 1883, as amended by Section 1, Chapter 219, Laws of 1903, so that said section as amended shall read as follows":

The report was accepted, amendments adopted and the bill sent to the House of Representatives for concurrence in Senate amendments.

Senator Osgood for the Committee on Engrossed Bills to whom was referred:

House Bill No. 26, An act to control the possession, sale and use of pistols and revolvers, having considered the same, reported the same under Joint Rule 6 with the following amendment with the recommendation that the bill as amended ought to pass:

Amend Clause 3 (a) of Section 10 of said bill by striking out the whole thereof and substituting the following:

"(a) To a purchaser not personally known to the seller or who does not present clear evidence of his identity; nor."

The report was accepted, amendments adopted and the bill sent to the House of Representatives for concurrence in Senate amendment.

The following message was received from the House of Representatives by its clerk:

HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 401, An act authorizing the School District of the Town of Epping to borrow money in excess of the limit prescribed by law.

The message further announced that the House of Representatives had concurred with the Senate in the passage of the following bill:

Senate Bill No. 37, An act designating the House of Correction of Strafford County as a jail.

The message also announced that the House of Representatives had concurred with the Senate in the adoption of the amendment of the Engrossed Bills Committee to the following entitled bills:

House Bill No. 204, An act in amendment of Section 1 of Chapter 96 of the Session Laws of 1901 entitled "An act relating to high schools", as amended by Chapter 118, Laws of 1903, as amended by Chapter 16, Laws of 1917.

House Bill No. 308, An act to regulate the salary of the solicitor of Rockingham County.

House Bill No. 351, An act in amendment of Chapter 177 of the Laws of 1917, entitled "An act to more effectively restrain agreements to regulate and fix prices of commodities in this State and to restrain combinations and monopolies in commodities and provide penalties therefor."

The message also announced that the House of Representatives had adopted the following amendment of the Engrossed Bills Committee to the following entitled bill, in the adoption of which amendment it asks the concurrence of the Honorable Senate:

Senate Bill No. 34 (In New Draft and New Title,) An act to prohibit the sale and manufacture of inflammable stove polishes.

Amend Section 3 of said bill by striking out the whole thereof and substituting the following:

SECT. 3. So much of Chapter 101, Laws of 1921, as is inconsistent herewith and all other acts and parts of acts inconsistent herewith are hereby repealed and this act shall take effect upon its passage.

On a *viva voce* vote the Senate concurred with the House of Representatives in the foregoing amendment.

#### READ AND REFERRED.

The following entitled bill sent up from the House of Representatives was read a first and second time and referred:

To the Committee on Judiciary:

House Bill No. 401, An act authorizing the school district of the Town of Epping to borrow money in excess of the limit prescribed by law.

#### TAKEN FROM THE TABLE.

The following entitled bill having been laid upon the table to be printed, was taken from the table and ordered to a third reading this afternoon at 2 o'clock.

House Bill No. 14 (In New Draft, In Senate New Draft), An act in amendment of Chapter 80 of the Laws of 1907, relating to marriages.

#### INTRODUCTION OF COMMITTEE REPORTS.

On motion of Senator Osgood, the rules were so far suspended as to allow the introduction of the following committee reports:

The Committee on Judiciary to whom was referred:

House Bill No. 333, An act in amendment of Chapter 182, Section 22 of the Public Statutes relating to the proving of wills, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

The Committee on Judiciary to whom was referred:

House Bill No. 327, An act authorizing the appointment of a State Fuel Administrator, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

The Committee on Judiciary to whom was referred:

House Bill No. 391, An act relative to the inspection and sale of coal, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

The Committee on Judiciary to whom was referred:

House Bill No. 382, An act in amendment of Chapter 147, Laws of 1915, relating to temporary absences of patients from the State Hospital, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

The Committee on Judiciary to whom was referred:

House Bill No. 385, An act relating to the New Hampshire College of Agriculture and the Mechanic Arts and establishing the University of New Hampshire, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

On motion of Senator Ripley, the rules were suspended and the above entitled bill was read a third time by title and passed.

Senator Osgood, for the Committee on Judiciary, to whom was referred:

House Bill No. 28, An act for the taxing of income derived from intangibles.

House Bill No. 400, An act authorizing the Town of Alton to vote to exempt from local taxes a proposed dam on Merrymeeting River.

House Bill No. 403, An act to authorize a proposed village

sewer district in the Town of Derry, to borrow money and to issue bonds.

Senate Bill No. 39, An act in amendment of Section 16, Chapter 92, Laws of 1919, as amended by Chapter 97, Laws of 1921, said act relating to business corporations.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at two o'clock.

#### MAJORITY AND MINORITY REPORTS.

Senator Ripley, for a majority of the Committee on Judiciary, to whom was referred House Bill No. 359, An act in relation to standard time, having considered the same, reported the same without amendment and recommended its passage.

Senator Hurley, for a minority of the Committee on Judiciary, to whom was referred House Bill No. 359, An act in relation to standard time, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report of the majority was accepted.

Senator Hurley moved that the report of the minority be substituted for that of the majority.

The question being stated: Shall the motion prevail?

On a *viva voce* vote the negative prevailed and the motion was lost.

Senator Hagerty demanded a roll-call.

The clerk proceeded to call the roll.

The following named senators voted in the affirmative:

Senators Coulombe, Hagerty, Osgood, Hurley, Janelle, Hodgdon.

The following named senators voted in the negative:

Senators Ripley, Burns, Brown, Hammond, Jaquith, Lufkin, Holmes, Rice, Lane, Tripp, Ham, Elder, Swasey.

Six senators having voted in the affirmative and thirteen senators having voted in the negative, the negative prevailed and the motion to substitute was lost, and the bill ordered to a third reading this afternoon at two o'clock.

On motion of Senator Brown the rules were so far suspended as to allow the introduction of the following committee reports:

The Committee on Roads, Bridges and Canals, to whom was referred:

House Joint Resolution No. 16, Joint resolution for the repair and improvement of Highways in the Town of Brookfield.

House Joint Resolution No. 18, Joint resolution in favor of repairing Sugar Loaf Road in the Town of Alexandria.

House Joint Resolution No. 31, Joint resolution for the improvement of the main road in the Town of Tamworth from Whittier to Chocorua.

House Joint Resolution No. 35, Joint resolution for the repair of the highway leading from Dorchester to Lyme.

House Joint Resolution No. 45, Joint resolution for the improvement of a highway leading from Freedom to East Madison.

House Joint Resolution No. 53, Joint resolution for the improvement of the main road leading from Effingham Falls to South Effingham.

Having considered the same reported the same without amendment and recommended their passage.

The reports were accepted and the joint resolutions severally referred to the Committee on Finance under the rules.

On motion of Senator Elder the rules were so far suspended as to allow the introduction of the following committee reports:

The Committee on Banks, to whom was referred:

House Bill No. 79, An act in amendment of Section 7 of Chapter 58 of the Laws of 1915 entitled, An act in amendment of Section 7 of Chapter 58 of the Laws of 1915 entitled, An act creating a Board of Bank Commissioners and abolishing the office of State auditor.

Having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.



House Bill No. 350, An act in amendment of Section 1, Chapter 45, Laws of 1905, as amended by Chapter 25, Laws of 1915, entitled "An act for the protection of savings banks and other savings institutions."

House Bill No. 375, An act relating to bonds to be furnished by officers of savings banks.

Having considered the same reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at two o'clock.

House Bill No. 392, An act in amendment of Chapter 73 of the Laws of 1921, An act to regulate and limit the investments of savings banks.

Having considered the same reported the same with the following resolution:

*Resolved*, that it is inexpedient to legislate.

The report was accepted and the resolution adopted.

House Bill No. 158 (In New Draft), An act in amendment of Sections 4 and 5 of Chapter 65 of the Public Statutes, and all amendments thereto, relating to the taxation of savings banks, having considered the same, reported the same with the following amendments and recommended its passage:

Amend said bill by inserting after the words "Federal Reserve Banks" in line thirty-one of Section 1, and in line twenty-five of Section 2, the words "and the amount invested in the capital stock of National Banks located in this State".

Further Amend said bill by striking out the word "one-half" in the eleventh line of Section 2, and inserting in place thereof the word "three-quarters" so that said Sections 1 and 2, as amended, shall read as follows:

SECT. 1. Amend Section 4, Chapter 65 of the Public Statutes as amended by Section 1, Chapter 108 of the Laws of 1895, Section 1, Chapter 82, Laws of 1901, Section 1, Chapter 102, Laws of 1907, Section 1, Chapter 112, Laws of 1913, Section 1, Chapter 83, Laws of 1915, and Section 1, Chapter 124, Laws of 1917, by striking out the entire section

and inserting in the place thereof a new section to read as follows:

SECT. 4. The treasurer of every savings bank, trust company, loan and trust company, loan and banking company, building and loan association and other similar corporations organized under the laws of this State shall, on or before the first day of May in each year, transmit to the State treasurer, upon blanks to be furnished by him, a statement, under oath, of the following facts as they existed on the first day of April in such year: The amount of all savings and special deposits on which the corporation pays interest and of its capital stock belonging to residents of each town in the State, including all dividends that have been declared thereon and not paid; the value of the interest of such residents in all the real estate of the corporation wherever situated, and all the loans of the corporation secured by mortgage upon real estate situated in this State, made at a rate not exceeding five per cent. per annum, and the amount invested in the bonds and notes of this State or any of the counties, municipalities, school districts and villages precincts of this State, provided such bonds and notes bear interest at a rate not exceeding five per cent. per annum, and the amount invested in United States bonds, and in the bonds issued under the provisions of the federal farm loan act, and the amount not exceeding five per cent. of the deposits invested in acceptances of member banks of the Federal Reserve System of the kinds and maturities made eligible for re-discount or purchase by Federal Reserve Banks, and the amount invested in the capital stock of National Banks located in this State, if it were divided proportionately among all depositors of the corporation; the difference between the two sums for each town; and the same facts in relation to depositors and stockholders who do not reside in the State or whose residence is unknown.

SECT. 2. Amend Section 5, Chapter 65 of the Public Statutes, as inserted by Section 2, Chapter 194, Laws of 1911, and amended by Section 1, Chapter 112, Laws of 1913, and by Section 1, Chapter 83, Laws of 1915, and by Section 2, Chapter 124, Laws of 1917, by striking out the

entire section and inserting in place thereof a new section to read as follows:

SECT. 5. Every such corporation, except building and loan associations, organized under the provisions of the Public Statutes, shall pay to the State treasurer annually, on the first day of October, an excise tax for the privilege of conducting the business of a savings bank or other such corporation, equal in amount to three-quarters of one per cent. upon the amount of the savings deposits on which it pays interest, after deducting the value of all its real estate wherever situated and the value of all its loans secured by mortgage upon real estate situated in this State made at a rate not exceeding five per cent. per annum; and the amount invested in bonds or notes of this State or any of the counties, municipalities, school districts or village precincts of this State, provided such bonds and notes bear interest at a rate not exceeding five per cent. per annum, and the amount invested in United States bonds and in the bonds issued under the provisions of the federal farm loan act, and the amount not exceeding five per cent. of the deposits invested in acceptances of member banks of the Federal Reserve System of the kinds and maturities made eligible for re-discount or purchase by Federal Reserve Banks, and the amount invested in the capital stock of National Banks located in this State; and every guaranty savings bank, trust company, loan and trust company, loan and banking company, and all other similar corporations, except building and loan associations, shall in addition pay a further excise tax for the privilege of conducting such business, equal in amount to one per cent. annually upon its special deposits or capital stock, after deducting the value of all real estate owned by the corporation and not already deducted from the amount of its general deposits as hereinbefore provided. No deduction from deposits subject to tax on account of real estate loans made in New Hampshire shall be allowed, if the borrower either directly or indirectly pays a larger rate of interest than five per cent.

The report was accepted.

Senator Osgood requested a division of the question.

Pursuant to the above request, the amendments were acted upon separately.

The question being stated: Shall the following amendment be adopted?

Amend Said bill by inserting after the words "Federal Reserve Banks" in line thirty-one of Section 1 and in line twenty-five of Section 2 the words "and the amount invested in the capital stock of National Banks located in this State."

Senator Osgood demanded a roll-call.

The clerk proceeded to call the roll.

The following named senators voted in the affirmative:

Senators Coulombe, Ripley, Burrs, Brown, Hammond, Jaquith, Lufkin, Holmes, Rice, Lane, Tripp, Osgood, Janelle, Elder, Swasey, Hodgdon.

Sixteen senators having voted in the affirmative, the affirmative prevailed and the amendment was adopted.

The question being stated: Shall the following amendment be adopted?

Further amend said bill by striking out the word "one-half" in the eleventh line of Section 2 and inserting in place thereof the word "three-quarters."

Senator Osgood demanded a roll-call.

The clerk proceeded to call the roll.

The following named senators voted in the affirmative:

Senators Coulombe, Ripley, Burrs, Brown, Hammond, Jaquith, Lufkin, Holmes, Rice, Lane, Tripp, Janelle, Elder, Swasey, Hodgdon.

The following named senator voted in the negative:

Senator Osgood.

Fifteen senators having voted in the affirmative and one senator having voted in the negative, the affirmative prevailed and the amendment was adopted.

The bill, as amended, was ordered to a third reading this afternoon at 2 o'clock.

#### THIRD READING.

The following entitled bill was read a third time and passed:

House Bill No. 366, An act in amendment of Chapter 125, Laws of 1921, providing for a reduction in the allotments of State Aid for schools when the appropriation is insufficient to meet the approved claims of the school districts.

#### INTRODUCTION OF COMMITTEE REPORT.

On motion of Senator Burns, the rules were so far suspended as to allow the introduction of the following committee report:

House Joint Resolution No. 26, Joint resolution for improvement at the school for feeble-minded children, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

On motion of Senator Swasey, the Senate adjourned.

#### AFTERNOON.

#### THIRD READINGS.

The following joint resolutions were severally read a third time and passed:

House Joint Resolution No. 30, Joint resolution in aid of the Spanish-War Veterans.

House Joint Resolution No. 46, Joint resolution for improvements at New Hampshire State Sanatorium.

House Joint Resolution No. 51, Joint resolution in favor of the Margaret Pillsbury General Hospital and Dr. James W. Jameson.

House Joint Resolution No. 56, Joint resolution in favor of Henry Giddis.

House Joint Resolution No. 59, Joint resolution for repairs on State House and care of trees in yard.

House Joint Resolution No. 60, Joint resolution providing for the deficiency of the New Hampshire School for feeble-minded children.

House Joint Resolution No. 67, Joint resolution for the repair of the Webster Birthplace in Franklin.

The following joint resolution was read a third time, passed, and sent to the House of Representatives for concurrence:

Senate Joint Resolution No. 4, Joint resolution in favor of Euclide and Marie Halde, parents of Wilfred X. Halde, formerly Private Battery "B", 172nd Field Artillery, New Hampshire National Guard: killed September 23, 1922, at Concord, New Hampshire.

On motion of Senator Coulombe, the rules were suspended and the following entitled bills were severally read a third time by title and passed:

House Bill No. 50 (In New Draft), An act in amendment of Section 4, Chapter 168, Laws of 1913, relating to the State Highway from Merrimack Valley Road to East Side Route.

House Bill No. 360, An act relative to the law of the road.

House Bill No. 23 (In New Draft), An act regulating the practice of chaining wheels on hills.

House Bill No. 267, An act to amend Chapter 38, Laws of 1913, "An act for the bi-weekly payment for all State employees except salaried officers."

House Bill No. 290 (In New Draft), An act in amendment of Section 23, Chapter 133, Laws of 1915 and Section 20, Chapter 133, Laws of 1915 in relation to pheasants.

House Bill No. 350, An act in amendment of Section 1, Chapter 45, Laws of 1905, as amended by Chapter 25, Laws of 1915, entitled: "An act for the protection of savings banks and other savings institutions."

House Bill No. 375, An act relating to bonds to be furnished by officers of savings banks.

House Bill No. 400, An act authorizing the Town of Alton to vote to exempt from local taxes a proposed dam on Merrymeeting River.

House Bill No. 403, An act to authorize a proposed Village Sewer District in the Town of Derry to borrow money and to issue bonds.

The following entitled bill was read a third time, passed and sent to the House of Representatives for concurrence in Senate new draft:

House Bill No. 14 (In New Draft, in Senate New Draft),

An act in amendment of Chapter 80 of the Laws of 1907, relating to marriages.

The following entitled bill was read a third time, passed and sent to the House of Representatives for concurrence in Senate amendments:

House Bill No. 158 (New Draft), An act in amendment of Sections 4 and 5 of Chapter 65 of the Public Statutes and all amendments thereto, relating to the taxation of savings banks.

The following entitled bill was read a third time, passed and sent to the House of Representatives for concurrence:

Senate Bill No. 39, An act in amendment of Section 16, Chapter 92, Laws of 1919, as amended by Chapter 97, Laws of 1921, said act relating to business corporations.

The following bill was read a third time:

House Bill No. 325 (In New Draft), An act to regulate the sale of grain.

The question being stated: Shall the bill pass?

On a *viva voce* vote, the president was in doubt and called for a division.

Nine senators having voted in the affirmative and ten senators having voted in the negative, the negative prevailed and the bill did not pass.

The following entitled bill was read a third time:

House Bill No. 359, An act in relation to standard time.

The question being stated: Shall the bill pass?

On a *viva voce* vote the affirmative prevailed.

Senator Hagerty demanded a roll-call.

The clerk proceeded to call the roll.

The following named senators voted in the affirmative:

Senators Ripley, Burns, Brown, Hammond, Jaquith, Lufkin, Holmes, Rice, Lane, Tripp, Ham, Elder, Swasey, Hodgdon.

The following named senators voted in the negative:

Senators Coulombe, Hagerty, Osgood, Hurley, Janelle.

Fourteen senators having voted in the affirmative and five senators having voted in the negative the bill passed.

The following entitled bill was read a third time:

House Bill No. 28, An act for the taxing of income derived from intangibles.

The following amendment, offered by Senator Ripley by consent of sixteen senators, was adopted:

Amend Section 23 by adding at the end thereof the following:

“If the tax provided for in the preceding sections shall be held invalid because levied at the average rate of taxation throughout the State, such taxes as have been assessed within one year and all taxes subsequently levied hereunder shall be levied at the rate applied in the taxation of other property in the taxing district in which the respective taxpayers reside.”

Senator Hammond moved that the above entitled bill be recommitted to the Committee on Judiciary.

On a *viva voce* vote the President was in doubt and called for a division.

Ten senators having voted in the affirmative and eight senators having voted in the negative, the affirmative prevailed.

Senator Tripp moved that House Bill No. 222, An act relating to damages happening in the use of highways, and repealing Section 1, Chapter 59, Laws of 1893, as amended by Chapter 48, Laws of 1915, and repealing Sections 7, 8, 9 and 10 of Chapter 76 of the Public Statutes, and any other statute inconsistent with this act, be recommitted to the Committee on Roads, Bridges and Canals.

On a *viva voce* vote the president was in doubt and called for a division.

Sixteen senators having voted in the affirmative and three senators having voted in the negative, the affirmative prevailed.

The following message was received from the House of Representatives by its clerk:

#### HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills and resolutions, in the passage of which it asks the concurrence of the Honorable Senate:



House Bill No. 404, An act in amendment of Section 29, Chapter 133, Laws of 1915, as amended by Section 5, Chapter 140, Laws of 1921, relating to fish and game.

House Bill No. 266, An act to increase the bounty on wild-cats.

House Joint Resolution No. 63, Joint resolution in favor of George W. Fadden.

House Joint Resolution No. 64, Joint resolution in favor of Burt J. Carleton.

House Joint Resolution No. 68, Joint resolution to assist the cities of Portsmouth and Dover in celebrating the three hundredth anniversary of the first settlement of the State.

The message further announced that the House of Representatives had concurred with the Senate in the passage of the following bills:

Senate Bill No. 28, An act in amendment of the Fish and Game Laws, relating to the taking and possession of pick-erel.

Senate Bill No. 41, An act to regulate the supply of fuel.

The message also announced that the House of Representatives had voted to concur with the Honorable Senate in the adoption of the amendment of the Committee of Convergence to the following entitled bill:

House Bill No. 252, An act in amendment of Section 4, Chapter 76, Laws of 1895, relating to the protection from pollution of sources of water used for domestic purposes.

The message also announced that the House of Representatives had adopted the amendment of the engrossed bills committee to the following entitled bill in the adoption of which amendment it asks the concurrence of the Honorable Senate.

Senate Bill No. 7 (In House New Draft in Senate New Draft), An act in relation to the foreclosure of power of sale mortgages of real estate.

Amend Section 1 of said bill by striking out the first sixteen lines thereof and inserting in place thereof the following:

SECTION 1. Amend Section 3, Chapter 19, Laws of 1899, as amended by Section 1, Chapter 2, Laws of 1905, by strik-

ing out the whole thereof and inserting in place thereof the following:

On a *viva voce* vote the Senate concurred with the House of Representatives in the foregoing amendment.

READ AND REFERRED.

The following joint resolutions sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Claims:

House Joint Resolution No. 63, Joint resolution in favor of George W. Fadden.

House Joint Resolution No. 64, Joint resolution in favor of Burt W. Carleton.

To the Committee on Finance:

House Joint Resolution No. 68, Joint resolution to assist the Cities of Portsmouth and Dover in celebrating the Three Hundredth Anniversary of the first settlement of the State.

The following bill sent up from the House of Representatives was read a first time:

House Bill No. 266, An act to increase the bounty on wildcats.

The question being stated: Shall the bill be read a second time?

Senator Hurley demanded a roll-call.

The clerk proceeded to call the roll.

The following named senators voted in the affirmative:

Senators Coulombe, Burns, Brown, Hammond, Lane, Hagerty, Tripp, Osgood, Hurley, Janelle, Elder, Hodgdon.

The following named senators voted in the negative:

Senators Ripley, Jaquith, Lufkin, Holmes, Rice, Ham, Swasey.

Twelve senators having voted in the affirmative and seven senators having voted in the negative the affirmative prevailed.

The above entitled bill was read a second time and referred to the Committee on Fisheries and Game.

The following entitled bill sent up from the House of

Representatives was read a first and second time and referred:

To the Committee on Fisheries and Game:

House Bill No. 404, An act in amendment of Section 29, Chapter 133, Laws of 1915, as amended by Section 6, Chapter 140, Laws of 1921, relating to fish and game.

On motion of Senator Hurley the Senate adjourned.

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## THURSDAY, MAY 3, 1923.

The Senate met according to adjournment.

### COMMITTEE REPORTS.

Senator Hammond for the Committee on Finance to whom was referred:

House Joint Resolution No. 16, Joint resolution for the repair and improvement of highways in the Town of Brookfield.

House Joint Resolution No. 18, Joint resolution in favor of repairing Sugar Loaf Road in the Town of Alexandria.

House Joint Resolution No. 26, Joint resolution for improvements at the school for feeble-minded children.

House Joint Resolution No. 31 (In New Draft), Joint resolution for the improvement of the Main Road in the Town of Tamworth from Whittier to Chocorua.

House Joint Resolution No. 35, Joint resolution for the repair of the highway leading from Dorchester to Lyme.

House Joint Resolution No. 45, Joint resolution for the improvement of a highway leading from Freedom to East Madison.

House Joint Resolution No. 48, Joint resolution in favor of the New Hampshire State Prison.

House Joint Resolution No. 53, Joint resolution for the improvement of the Main Road leading from Effingham Falls to South Effingham.

House Joint Resolution No. 55, Joint resolution providing for the making of improvements, purchase of property and

necessary repairs upon the buildings and grounds of the New Hampshire Veterans' Association at the Weirs for the fiscal years 1923-24, and 1924-25.

House Joint Resolution No. 68, Joint resolution to assist the Cities of Portsmouth and Dover in celebrating the Three Hundredth Anniversary of the first settlement of the State.

House Bill No. 76, An act in amendment of Section 16 of Chapter 155, Laws of 1921, relating to the permanent construction of highway bridges throughout the State.

House Bill No. 79, An act in amendment of Section 7 of Chapter 58 of the Laws of 1915 entitled, "An act creating a Board of Bank Commissioners and abolishing the office of State Auditor."

House Bill No. 230, An act to provide additional accommodations at the New Hampshire State Hospital.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills and joint resolutions severally ordered to a third reading this afternoon at 2 o'clock.

Senator Hammond for the Committee on Finance to whom was referred:

House Joint Resolution No. 27, Joint resolution providing for extraordinary repairs and replacements at the New Hampshire State Hospital, having considered the same, reported the same with the following resolution.

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Hodgdon for the Committee on Public Improvements to whom was referred:

House Joint Resolution No. 32, Joint resolution to provide for cooperation with the United States Geological Survey in the establishment and maintenance of stream flow gaging station, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

Senator Elder for the Committee on Fisheries and Game to whom was referred:

House Bill No. 374, An act authorizing permits to kill injurious animals, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at 2 o'clock.

Senator Tripp for the Committee on Railroads to whom was referred:

House Bill No. 384, An act in amendment of Section 2, Chapter 116, Laws of 1913, relating to Caboose Cars, having considered the same reported the same with the following amendment and recommended its passage.

Amend Section 1 of said bill by changing the period at the end thereof to a semi-colon, and adding the following words: *Provided, however*, that it shall not be unlawful for any such common carrier to operate within this State any such caboose car equipped with two-wheeled trucks in switching within yard limits or on runs which do not require the same crew to use any such caboose car for a greater distance than ten miles in the same day from the point where their work begins. So that said Section 1 as amended shall read as follows:

SECTION 1. Amend Section 2, Chapter 116, Laws of 1913, by striking out all of said section as it now stands and inserting in place thereof the following:

"SECT. 2. From and after the first day of July, 1924, it shall be unlawful for any such common carrier by railroad to build, construct, purchase or operate within this State any caboose car or any other car used for like purposes unless such caboose or other car shall be equipped with two four-wheeled trucks; *provided, however*, that it shall not be unlawful for any such common carrier to operate within this State any such caboose car equipped with two-wheeled trucks in switching within yard limits or on runs which do not require the same crew to use any such caboose car for a greater distance than ten miles in the same day from the point where their work begins."

The amendment was adopted and the bill, as amended, ordered to a third reading this afternoon at 2 o'clock.

Senate Bill No. 40, An act relating to the use of air bells on locomotives, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Swasey for the Committee on Labor to whom was referred:

House Bill No. 163, An act in amendment of Chapter 212 of the Laws of 1913, relating to advertisements during strikes, lockouts or other labor disputes, having considered the same, reported the same with the following amendment and recommended its passage.

Amend Section 1 of said bill by striking out all of said section following the word "dollars" in the eighth line thereof, so that said section as amended shall read as follows:

SECTION 1. Amend Section 3, Chapter 212, Laws of 1913, as amended by Section 2 of Chapter 99 of the Laws of 1917, by striking out the whole thereof and substituting the following:

"SECT. 3. If any person or persons shall violate any provision of this chapter or shall authorize or permit the violation of any provision of this chapter he shall be guilty of a misdemeanor and subject to a fine not exceeding one hundred dollars.

The amendment was adopted and the bill, as amended, ordered to a third reading this afternoon at 2 o'clock.

House Bill No. 151, An act relating to contracts for labor, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Swasey for the Committee on Education to whom was referred:

House Joint Resolution No. 62, An act in favor of appropriation for the purpose of additional State school aid for the current year, having considered the same reported the same with the following resolution.

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

The following message was received from the House of Representatives by its clerk:

HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bill and Joint resolution, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 70, Joint resolution relating to the calling of the Constitutional Convention.

House Bill No. 176 (In New Draft), An act in amendment of Chapter 163 of the Laws of 1911, entitled: "An act in relation to the employers' liability and workmen's compensation."

House Bill No. 344, An act in regard to the construction and maintenance of State Aid Trunk Line, Cross State and State roads.

House Bill No. 405, An act relating to the taxation of guaranty savings banks, trust companies and similar institutions.

House Bill No. 406, An act in amendment of an act relating to the taxation of National Bank Stock approved March 29, 1923.

The message further announced that the House of Representatives had concurred with the Senate in the passage of the following bill:

Senate Bill No. 29, An act in amendment of Section 3, Chapter 187 of the Session Laws for the year 1913, relating to the registration of foreign corporations.

The message also announced that the House of Representatives concurred with the Honorable Senate in the passage of the following entitled bill, with amendment, in the passage of which amendment the House asks the concurrence of the Honorable Senate:

Senate Bill No. 35, An act to establish water works in the Town of Hooksett or any village districts thereof.

Add at the end of Section 9 of said act the following:

This act shall not be construed to authorize the Town of Hooksett to issue town bonds or notes for any village district which may be established in said town, but said districts may bond or issue notes which cover their own district.

On motion of Senator Branch the Senate voted to concur with the House of Representatives in the foregoing amendment.

#### READ AND REFERRED.

The following entitled bills and joint resolution sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Banks:

House Bill No. 405, An act relating to the taxation of guaranty savings banks, trust companies and similar institutions.

House Bill No. 406, An act in amendment of an act relating to the taxation of National Bank Stock approved March 29, 1923.

To the Committee on Finance:

House Bill No. 344, An act in regard to the construction and maintenance of State Aid Trunk Line, Cross State and State Roads.

To the Committee on Judiciary:

House Joint Resolution No. 70, Joint resolution relating to the calling of the Constitutional Convention.

On motion of Senator Coulombe the rules were suspended and the following entitled House Bill was read a first and second time by title and referred:

To the Committee on Judiciary:

House Bill No. 176 (In New Draft), An act in amendment of Chapter 163 of the Laws of 1911, entitled: "An act in relation to the Employers' Liability and Workmen's Compensation."

#### COMMITTEE REPORTS.

On motion of Senator Hurley the rules were so far suspended as to allow the introduction of the following committee reports:



Senator Hurley, for the Committee on Claims, to whom was referred:

House Joint Resolution No. 65, Joint resolution in favor of Charles H. Chandler.

House Joint Resolution No. 66, Joint resolution in favor of Clarence G. Gove.

Having considered the same reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally referred to the Committee on Finance under the rules.

#### RECONSIDERATION OF VOTE.

On motion of Senator Osgood the Senate voted to reconsider House Bill No. 325, An act to regulate the Sale of Grain.

Senator Osgood moved to reconsider the vote whereby the above entitled bill was killed.

On a *viva voce* vote the president was in doubt and called for a division.

Twelve Senators having voted in the affirmative and seven Senators having voted in the negative, the affirmative prevailed.

The question recurring: Shall the bill pass?

On a *viva voce* vote the president was in doubt and called for a division.

Thirteen Senators having voted in the affirmative and seven Senators having voted in the negative, the affirmative prevailed and the bill passed.

On motion of Senator Brown the rules were so far suspended as to allow the introduction of the following committee reports:

The Committee on Roads, Bridges and Canals, to whom was referred House Bill No. 222, An act relating to damages happening in the use of Highways and repealing Section 1, Chapter 59, Laws of 1893, as amended by Chapter 48, Laws of 1915, and repealing Sections 7, 8, 9 and 10 of Chapter 76 of the Public Statutes, and any other statute inconsistent with this Act, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

House Bill No. 218, An act providing for a Road Toll of Gasoline and similar products used in propelling Motor Vehicles on Highways, and in amendment of Chapter 119, Laws of 1921, having considered the same reported the same with the following amendment and recommended its passage.

Amend the title of said bill by striking out the whole thereof and substituting the following title:

An act to provide for a road toll and to amend Laws of 1921, Chapter 119, Section 25, relative to license fees on motor vehicles.

Amend Section 4 of said bill by adding after the word "gallon" in the tenth line thereof the following: from July 1, 1923, to January 1, 1924, and two (2) cents thereafter. So that said section as amended shall read as follows:

SECT. 4. Every distributor shall on or before the fifteenth day of each month render a report to the Commissioner of Motor Vehicles, stating the number of gallons of such fuel sold in the State by him during the preceding calendar month on forms to be furnished by said Commissioner of Motor Vehicles; and said report shall contain such other information as the Commissioner of Motor Vehicles shall prescribe. On or before the first day of the calendar month succeeding the filing of said report such distributor shall pay to the State Treasurer a road toll of one (1) cent per gallon from July 1, 1923, to January 1, 1924, and two (2) cents thereafter, upon each gallon so reported, the same being collected by the distributor from the dealer and by the dealer from the consumer. On or before the first day of each calendar month, the Commissioner of Motor Vehicles shall transmit to the said State Treasurer such information as shall show all road tolls due from each distributor under the provisions of this act.

Amend Section 5 of said bill by adding after the word "gallon" in the tenth line thereof the following: from July 1, 1923, to January 1, 1924, and two (2) cents thereafter. So that said section as amended shall read as follows:

SECT. 5. Whenever any person shall purchase any such fuels for any purpose other than for the propulsion of motor vehicles upon highways, he may within six (6) months after the date of said purchase present to the State Treasurer on blanks furnished by the State Treasurer a statement under oath as to the number of gallons used for such other purposes and the name of the person from whom purchased; and the State Treasurer upon satisfying himself that said fuel was actually used for such other purposes, shall refund the road toll of one (1) cent per gallon from July 1, 1923, to January 1, 1924, and two (2) cents thereafter, to said purchaser.

Amend Section 11 of said bill by striking out the whole thereof and substituting in place thereof the following:

SECT. 11. Strike out Sub-divisions (d) (e) (f) (g) (h) (i) (l) and (n) of Section 25 of Chapter 119, Laws of 1921.

Insert in place of Sub-division (c) the following:

(c) For the registration of each motor vehicle, including trailers and semi-trailers equipped with pneumatic tires, except motor cycles and motor cycle sidecars, the following rates based on the gross weight of the vehicle and load: All vehicles and load not exceeding four thousand (4,000) pounds, forty-five (45) cents per hundred (100) pounds; exceeding four thousand (4,000) pounds and not exceeding six thousand (6,000) pounds, fifty-five (55) cents per hundred (100) pounds; exceeding six thousand (6,000) pounds and not exceeding eight thousand (8,000) pounds, sixty (60) cents per hundred (100) pounds; exceeding eight thousand (8,000) pounds, seventy (70) cents per hundred (100) pounds. For all vehicles equipped with hard rubber tires the sum of twenty (20) cents per hundred (100) pounds shall be added to the above rates. For all vehicles equipped with iron, steel or other hard tires the sum of forty (40) cents per hundred (100) pounds shall be added to the above rates. Provided that the minimum fee as provided in this section shall be ten dollars (\$10) for the passenger vehicles and fifteen dollars (\$15) for trucks. Tractors used for agricultural purposes only and tractors used only on snow shall pay one-tenth of the above rates.

Reletter Sub-divisions (j) and (k) to read (d) and (e) respectively.

Reletter Sub-division (l) to read (f) and substitute for such Sub-division the following:

(f) For the registration of motor vehicles owned by or under the control of the manufacturer or dealer in motor vehicles, fifty dollars (\$50).

Reletter Sub-division (m) to read (g).

Reletter Sub-division (n) to read (h) and substitute for such Sub-division the following:

(h) For every additional number plate furnished to replace such as have been lost or mutilated or which are illegible, one dollar (\$1); and for every additional pair of number plates furnished to a manufacturer or dealer in motor vehicles other than motor cycles whose business requires more than three pairs of such plates, eight dollars (\$8). For each set of temporary number plates furnished to a manufacturer or dealer in motor vehicles, twenty cents (20c); and for every additional pair of number plates furnished to a manufacturer or dealer in motor cycles whose business requires more than three pairs of such plates, two dollars (\$2).

Re-letter Sub-divisions (o) (p) (q) (r) and (s) to read (i) (j) (k) (l) and (m) respectively.

Amend Section 12 of said bill by striking out in the third and fourth lines thereof the words "thirty (30) days after the passage of this act" and inserting the words "July 1, 1923," and by adding at the end of said section the following:

"Should the provisions of this act relative to the collection of a road toll be declared inoperative, the Sub-sections of Section 25, Chapter 119, Laws of 1921, repealed hereby, shall be deemed to be in full force and effect.

On a *viva voce* vote the above amendment was adopted and the bill ordered to a third reading this afternoon at two o'clock.

On motion of Senator Tripp the rules were suspended and the bill read a third time, passed and sent to the House of Representatives for concurrence in Senate amendments.

On motion of Senator Tripp the rules were so far suspended as to allow the introduction of the following committee report:

The Committee on Agriculture, to whom was referred House Bill No. 378, An act to amend Section 8 of Chapter 133 of the Laws of 1915, relating to damages by game birds and quadrupeds, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

On motion of Senator Elder the rules were so far suspended as to allow the introduction of the following committee report:

The Committee on Fisheries and Game, to whom was referred:

House Bill No. 266, An act to increase the bounty on wild-cats.

House Bill No. 404, An act in amendment of Section 29, Chapter 133, Laws of 1915, as amended by Section 6, Chapter 140, Laws of 1921, relating to fish and game.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at two o'clock.

On motion of Senator Hodgdon the rules were so far suspended as to allow the introduction of the following committee report:

The Committee on Public Health, to whom was referred:

House Joint Resolution No. 4, Joint resolution to enable the State to co-operate with the United States in the promotion of the welfare and hygiene of maternity and infancy in the State of New Hampshire.

Having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

On motion of Senator Osgood the rules were so far sus-

pending as to allow the introduction of the following committee report:

The Committee on the Judiciary, to whom was referred:

House Bill No. 28, An act to provide for the taxation of incomes derived from intangibles, having considered the same, reported the same with the following amendment and recommended its passage:

Add at the end of Section 23, as amended the following:

The tax commission may, at any time, reserve, certify and transfer to the Supreme Court for decision any question of law which may arise in connection with the administration of this act. Such reserved and certified case may be entered in the Supreme Court at any time.

The report was accepted, amendment adopted, and the bill as amended ordered to a third reading this afternoon at two o'clock.

On motion of Senator Osgood the rules were suspended and the above entitled bill was read a third time by title, passed and sent to the House of Representatives for concurrence in Senate amendments.

On motion of Senator Osgood the rules were so far suspended as to allow the introduction of the following committee reports:

The Committee on the Judiciary, to whom was referred House Bill No. 273, An act relating to Poll Tax of Soldiers' Widows.

House Bill No. 386 (In New Title and New Draft), An act concerning the granting of permits for the soliciting of funds for charitable purposes and for the sale of tags, flowers or other objects for charitable purposes.

House Bill No. 401, An act authorizing the School District of the Town of Epping to borrow money in excess of the limit prescribed by law.

Having considered the same reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally ordered to a third reading this afternoon at two o'clock.

The Committee on the Judiciary, to whom was referred

House Bill No. 111, An act relating to the salary of the Deputy Register of Probate for the County of Merrimack, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the bill referred to the Committee on Finance under the rules.

The Committee on the Judiciary, to whom was referred House Bill No. 380, An act relating to persons convicted of operating Motor Vehicles while under the influence of intoxicating liquor, having considered the same reported the same in Senate new draft and recommended its passage.

The report was accepted and the bill in its new draft read a first and second time, and laid upon the table to be printed.

On motion of Senator Osgood the rules were suspended, printing dispensed with, and the bill read a third time, passed and sent to the House of Representatives for concurrence in Senate new draft.

The Committee on Judiciary, to whom was referred House Bill No. 241 (In New Draft), An act relating to the regulation of building and the location of trades and industries in cities and towns, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

The Committee on Judiciary, to whom was referred House Bill No. 383, An act in amendment of Section 5, Chapter 55, Laws of 1919, as amended by Section 3, Chapter 120, Laws of 1921, relating to permit fees on motor vehicles, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

On motion of Senator Brown, the rules were so far suspended as to dispense with reference to the Committee on Finance to the following entitled bills and joint resolutions:

House Bill No. 111, An act relating to the salary of the Deputy Register of Probate for the County of Merrimack.

House Bill No. 344, An act in regard to the construction

and maintenance of State aid trunk line, cross state and State roads.

House Joint Resolution No. 32, Joint resolution to provide for co-operation with the United States Geological Survey in the establishment and maintenance of stream flow gauging station.

House Joint Resolution No. 65, Joint resolution in favor of Charles H. Chandler.

House Joint Resolution No. 66, Joint resolution in favor of Clarence G. Gove.

The above entitled bills and joint resolutions were severally ordered to a third reading this afternoon at 2 o'clock.

On motion of Senator Brown, the rules were so far suspended as to dispense with reference to the Committee on Finance to the following joint resolution:

House Joint Resolution No. 4, Joint resolution to enable the State to co-operate with the United States in the promotion of the welfare and hygiene of maternity and infancy in the State of New Hampshire.

On motion of Senator Coulombe, the following amendment was adopted and the bill ordered to a third reading this afternoon at 2 o'clock.

Amend House Joint Resolution No. 4 by adding the following section:

SECTION 2. No official, or agent, or representative in carrying out the provisions of this act shall enter any home or take charge of any child over the objection of the parents, or either of them, or the person standing in loco parentis or having custody of such child. Nothing in this act shall be construed as limiting the power of a parent or guardian or the person standing in loco parentis to determine what treatment or correction shall be provided for a child or the agency or agencies to be employed for such purpose.

On motion of Senator Ham, the rules were suspended and the bill ordered to a third reading at the present time.

The question being stated: Shall the bill pass?

Senator Swasey demanded a roll call.



The clerk proceeded to call the roll.

The following named senators voted in the affirmative.

Senators Coulombe, Burns, Brown, Hammond, Lufkin, Holmes, Rice, Lane, Tripp, Branch, Osgood, Janelle, Ham, Elder, Hodgdon.

The following named senators voted in the negative.

Senators Ripley, Jaquith, Hagerty, Hurley, Swasey.

Fifteen senators having voted in the affirmative and five senators having voted in the negative, the affirmative prevailed, the bill passed and was sent to the House of Representatives for concurrence in Senate amendment.

On motion of Senator Coulombe, the rules were so far suspended as to allow the introduction of the following committee reports.

House Bill No. 399, An act in amendment of Section 1, Chapter 30, Laws of 1915, relating to municipal courts.

House Bill No. 402, An act in amendment of Section 6, Chapter 103, Laws of 1915, relating to the report of the Highway Commissioner.

The reports were accepted and the bills severally ordered to a third reading this afternoon at 2 o'clock.

Senator Osgood for the Committee on Engrossed bills to whom was referred:

House Bill No. 366, An act in amendment of Chapter 125, Laws of 1921, providing for a reduction in the allotments of State Aid for schools when the appropriation is insufficient to meet the approved claims of the school districts, having considered the same, reported the same with the following amendment under joint rule 6 and recommended its passage.

Amend Section 1 of said bill by striking out the following in line 1 thereof, "Amend Section 5, Chapter 125, Laws of 1921," and by inserting in place thereof the following: "Amend Section 22, Chapter 106, Laws of 1919, as amended by Section 7, Chapter 125, Laws of 1921."

The report was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in Senate amendment.

On motion of Senator Ham, the Senate adjourned.

## AFTERNOON.

## THIRD READINGS.

The following joint resolutions were severally read a third time and passed:

House Joint Resolution No. 16, Joint resolution for the repair and improvement of highway in the Town of Brookfield.

House Joint Resolution No. 18, Joint resolution in favor of repairing Sugar Loaf Road in the Town of Alexandria.

House Joint Resolution No. 26, Joint resolution for improvement at the School for Feeble-Minded Children.

House Joint Resolution No. 31, Joint resolution for the improvement of the Main Road in the Town of Tamworth from Whittier to Chocorua.

House Joint Resolution No. 45, Joint resolution for the improvement of a highway leading from Freedom to East Madison.

House Joint Resolution No. 35, Joint resolution for the repair of the highway leading from Dorchester to Lyme.

House Joint Resolution No. 32, Joint resolution to provide for co-operation with the United States Geological Survey in the establishment and maintenance of stream flow gaging station.

House Joint Resolution No. 48, Joint resolution in favor of the New Hampshire State Prison.

House Joint Resolution No. 53, Joint resolution for the improvement of the Main Road leading from Effingham Falls to South Effingham.

House Joint Resolution No. 55, Joint resolution providing for the making of improvements, purchase of property and necessary repairs upon the buildings and grounds of the New Hampshire Veterans' Association at the Weirs for the fiscal years 1923-24 and 1924-25.

House Joint Resolution No. 65, Joint resolution in favor of Charles H. Chandler.

House Joint Resolution No. 66, Joint resolution in favor of Clarence G. Gove.

House Joint Resolution No. 68, Joint resolution to assist the Cities of Portsmouth and Dover in celebrating the Three Hundredth Anniversary of the first settlement of the State.

The following entitled bill was read a third time:

House Bill No. 79, An act in amendment of Section 7 of Chapter 58 of the Laws of 1915 entitled, An act in amendment of Section 7 of Chapter 58 of the Laws of 1915 entitled, An act creating a Board of Bank Commissioners and abolishing the office of State Auditor.

The question being stated: Shall the bill pass?

On a *viva voce* vote the president was in doubt and called for a division.

Nine Senators having voted in the affirmative and seven Senators having voted in the negative, the affirmative prevailed and the bill passed.

On motion of Senator Tripp the rules were suspended and the following entitled bills were severally read a third time by title and passed:

House Bill No. 76, An act in amendment of Section 16 of Chapter 155, Laws of 1921, relating to the permanent construction of highway bridges throughout the State.

House Bill No. 111, An act relating to the salary of the Deputy Register of Probate for the County of Merrimack.

House Bill No. 230, An act to provide additional accommodations at the New Hampshire State Hospital.

House Bill No. 273, An act relating to poll tax of Soldiers' Widows.

House Bill No. 344, An act in regard to the construction and maintenance of State Aid Trunk Line, Cross State and State Roads.

House Bill No. 374, An act authorizing permits to kill injurious animals.

House Bill No. 378, An act to amend Section 8 of Chapter 133 of the Laws of 1915, relating to damages by game birds and quadrupeds.

House Bill No. 386 (New Draft and New Title), An act concerning the granting of permits for the soliciting of funds

for charitable purposes and for the sale of tags, flowers or other objects for charitable purposes.

House Bill No. 399, An act in amendment of Section 1, Chapter 30, Laws of 1915, relating to municipal courts.

House Bill No. 401, An act authorizing the School District of the Town of Epping to borrow money in excess of the limit prescribed by law.

House Bill No. 402, An act in amendment of Section 6, Chapter 103, Laws of 1915, relating to the report of the Highway Commissioner.

House Bill No. 404, An act in amendment of Section 29, Chapter 133, Laws of 1915, as amended by Section 6, Chapter 140, Laws of 1921, relating to fish and game.

Pursuant to the above motion the following entitled bills were severally read a third time by title, passed and sent to the House of Representatives for concurrence in Senate amendments:

House Bill No. 163, An act in amendment of Chapter 212 of the Laws of 1913, relating to advertisements during strikes, lockouts or other labor disputes.

House Bill No. 384, An act in amendment of Section 2, Chapter 116, Laws of 1913, relating to caboose cars.

Pursuant to the above motion the following bill was read a third time by title.

House Bill No. 222, An act relating to damages happening in the use of highways and repealing Section 1, Chapter 59, Laws of 1893, as amended by Chapter 48, Laws of 1915, and repealing Sections 7, 8, 9 and 10 of Chapter 76 of the Public Statutes and any other statutes inconsistent with this act.

The question being stated: Shall the bill pass?

On a *viva voce* vote the negative prevailed.

Senator Tripp called for a division.

Seven senators having voted in the affirmative and eleven senators having voted in the negative the negative prevailed and the bill did not pass.

Agreeably to the previous motion, the following bill was read a third time by title:

House Bill No. 266, An act to increase the bounty on wild-cats.

The question being stated: Shall the bill pass?

On a *viva voce* vote the president was in doubt and called for a division.

Eleven senators having voted in the affirmative and four senators having voted in the negative, the affirmative prevailed and the bill passed.

The following message was received from the House of Representatives by its clerk:

HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following entitled bills and Joint resolutions, in the passage of which it asks the concurrence of the Honorable Senate:

House Joint Resolution No. 3, Joint resolution providing for the erection of a dormitory at the Keene Normal School.

House Bill No. 407, An act providing for appropriations for certain expenses of the State for the year ending June 30, 1925.

House Bill No. 408, An act providing for appropriation for certain expenses of the State for the year ending June 30, 1925.

House Bill No. 409, An act to provide for the assessment and collection of an annual State tax for the term of two years.

House Joint Resolution No. 71, Joint resolution in favor of James W. Pridham, Frederick W. Moore and others.

The message further announced that the House of Representatives had concurred with the Senate in its amendments to the following House Bill:

House Bill No. 28, An act for the taxing of incomes derived from intangibles.

The message also announced that House Bill No. 218 (In New Draft and New Title), An act to provide for a road toll and to amend fees on motor vehicles.

READ AND REFERRED.

The following bills and joint resolution sent up from the House of Representatives were severally read a first and second time and referred:

To the Committee on Finance:

House Bill No. 407, An act providing for appropriation for certain expenses of the State for the year ending June 30, 1925.

House Bill No. 408, An act providing for appropriation for certain expenses of the State for the year ending June 30, 1925.

House Bill No. 409, An act to provide for the assessment and collection of an annual State tax for the term of two years.

House Joint Resolution No. 71, Joint resolution in favor of James W. Pridham, Frederick W. Moore and others.

To the Committee on Education:

House Joint Resolution No. 3, Joint resolution providing for the erection of a dormitory at the Keene Normal School.

On motion of Senator Rice, the rules were suspended, reference to the committee dispensed with and the joint resolution was read a third time and passed.

On motion of Senator Osgood the rules were so far suspended as to allow the introduction of the following committee reports:

The Committee on the Judiciary, to whom was referred House Bill No. 231, An act in amendment of Section 1 of Chapter 41 of the Laws of 1921, relating to the exemption from taxation of the property of educational, charitable, religious and other societies and institutions, having considered the same reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading tomorrow morning at eleven o'clock.

The Committee on the Judiciary, to whom was referred House Bill No. 276, An act relating to pensioning of employees of the Water Works Department of the City of Manchester, having considered the same reported the same in Senate New Draft without recommendation.

The report was accepted and the bill in its new draft read a first and second time and laid upon the table to be printed.

On motion of Senator Hurley the rules were suspended,

printing dispensed with and the bill ordered to a third reading tomorrow morning at eleven o'clock.

The Committee on the Judiciary, to whom was referred House Bill No. 341, An act relating to pensions for employees of the City of Manchester, having considered the same reported the same in Senate New Draft without recommendation.

The report was accepted and the bill in its new draft read a first and second time and laid upon the table to be printed.

On motion of Senator Hurley the rules were suspended, printing dispensed with, and the bill ordered to a third reading tomorrow morning at eleven o'clock.

The Committee on the Judiciary, to whom was referred:

House Bill No. 172, An act relating to the salary of the Motor Vehicle Commissioner.

House Bill No. 326, An act in amendment of Chapter 220 of the Laws of 1917 entitled: "An act relating to the salaries of certain State Officials, in amendment of Section 11, Chapter 286 of the Public Statutes."

Having considered the same reported the same without amendment and recommended their passage.

The reports were accepted and the bills severally referred to the Committee on Finance under the rules.

The Committee on Judiciary, to whom was referred Senate Bill No. 25, An act in amendment of Chapters 24 and 282 of the Public Statutes, as amended by Chapter 135, Laws of 1921, relating to common jails and the prisoners therein, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

On motion of Senator Lufkin the rules were so far suspended as to allow the introduction of the following committee report:

#### MAJORITY AND MINORITY REPORT.

Senator Lufkin for a majority of the Committee on Forestry to whom was referred House Joint Resolution No. 50,

Joint resolution to provide for a water supply and for improvement of land at the State Forest Nursery, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

Senator Janelle for a minority of the Committee on Forestry to whom was referred House Joint Resolution No. 50, Joint resolution to provide for a water supply and for improvement of land at the State Forest Nursery, having considered the same, reported the same without amendment and recommended its passage.

The report of the majority was accepted.

Senator Holmes moved that the report of the minority be substituted for that of the majority.

The question being stated: Shall the motion prevail?

(Discussion ensued.)

On a *viva voce* vote the president was in doubt and called for a division.

Nine senators having voted in the affirmative and five senators having voted in the negative, the affirmative prevailed and the minority report was substituted for that of the majority and the bill ordered to a third reading tomorrow morning at 11 o'clock.

Senator Tripp moved that the rules be suspended and that the bill be put upon its third reading and final passage at the present time.

The question being upon the suspension of the rules.

Six senators having voted in the affirmative and seven senators having voted in the negative, the motion not having received the necessary two-thirds vote, was lost.

Senator Hammond moved that the rules be so far suspended as to allow the introduction of the following committee reports:

House Bill No. 397, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1924, having considered the same, reported the same with the following amendments and recommended its passage.



Amend bill by striking out the paragraph relating to the appropriations for the attorney-general's department and inserting in place thereof the following:

For the attorney-general's department, \$33,750 as follows: For salary of the attorney-general, \$3,500; for salary of the assistant attorney-general, \$3,500; for traveling expenses, \$1,500; for clerical expense for the attorney-general, \$3,000; for clerical expense for the assistant attorney-general on account of the administration of the inheritance tax law (to include a third accountant at a salary not exceeding \$1,400) \$7,850; for incidentals, \$1,000; for supplies, \$900; for printing blanks, \$1,000; for copies of wills and records, \$8,000; for legacy tax and other litigation, investigations and appraisals, \$3,500.

Further amend the bill by striking out the paragraph relating to the appropriation for the State Board of Education and inserting in place thereof the following:

For the State Board of Education, \$575,000, in which sum is included the literary fund, and in addition to the \$575,000 the sums paid into the State treasury as the forest reserve tax, the per capita tax and the tax on unorganized and other places. Of this appropriation, the sum of \$40,000 is to be expended for mothers' aid; a sum not to exceed \$38,000 for salaries of officers and employees of the State Board; a sum not to exceed \$340,000 for equalized State aid; and the sum of \$15,000 for rental of rooms for students at the normal schools.

The State Board of Education shall also receive for disbursement the income of the normal school dormitories and practice schools and the sums paid by school districts for the salaries of superintendents under Laws of 1921, 85, I, 8 (23).

(In this department any balance which may be unexpended in the fiscal year ending June 30, 1924, shall be available for use in the following year.)

Amend the paragraph relating to the Department of Agriculture by striking out the whole thereof and substituting the following:

For the Department of Agriculture \$140,400 as follows:

For the salary of the Commissioner, \$2,750; for the salary of the Deputy, \$2,400; for clerical expenses, \$2,200; for Advisory Board, \$300; for incidentals, \$500; for feeding stuffs inspection, \$3,000; for fertilizer inspection, \$2,500; for nursery inspection, \$500; for seed inspection, \$1,000; for insecticides and fungicides, \$500; for resources of State (publication), \$2,500; for milk dealers' licenses, \$500; for diseases of animals, \$100,000; for encouragement of sheep industry, \$500; for Granite State Dairymen's Association, \$1,000; for apple-grading law, \$250; for New Hampshire Horticultural Society, \$2,500; for Bureau of Markets, \$5,000; for moth suppression, \$12,500.

Further amend the bill by striking out in the last line of the paragraph relating to the appropriation for the Forestry Department the words: "White Pine Blister Rust, \$15,000 and substituting therefor the following: White Pine Blister Rust, \$10,000."

The report was accepted, amendments adopted and the bill ordered to a third reading to-morrow morning at 11 o'clock.

House Bill No. 398, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1925, having considered the same, reported the same with the following amendments and recommended its passage:

Amend bill by striking out the paragraph relating to the appropriations for the attorney-general's department and inserting in place thereof the following:

For the attorney-general's department, \$34,700 as follows: For salary of the attorney-general, \$3,500; for salary of the assistant attorney-general, \$3,500; for traveling expenses, \$1,500; for clerical expense for the attorney-general, \$3,000; for clerical expense for the assistant attorney-general on account of the administration of the inheritance tax law (to include a third accountant at a salary not exceeding \$1,400), \$8,100; for incidentals, \$1,000; for supplies, \$900; for printing blanks, \$1,000; for printing report, \$700;

for copies of wills and records, \$8,000; for legacy tax and other litigation, investigations and appraisals, \$3,500.

Further amend the bill by striking out the paragraph relating to the appropriation for the State Board of Education and inserting in place thereof the following:

For the State Board of Education \$585,000, in which sum is included the literary fund, and in addition to the \$585,000 the sums paid into the State Treasury as the forest reserve tax, the per capita tax and the tax on unorganized and other places. Of this appropriation, the sum of \$40,000 is to be expended for mothers' aid; a sum not to exceed \$38,000 for salaries of officers and employees of the State Board; a sum not to exceed \$340,000 for equalized State Aid; and the sum of \$15,000 for rental of rooms for students at the normal schools.

The State Board of Education shall also receive for disbursement the income of the normal school dormitories and practice schools and the sums paid by school districts for the salaries of superintendents under Laws 1921, §5, I 8 (23).

(In this department any balance which may be unexpended in the fiscal year ending June 30, 1925, shall be available for use in the following year.)

Amend the paragraph relating to the Department of Agriculture by striking out the whole thereof and substituting the following:

For the Department of Agriculture, \$141,400, as follows: For the salary of the Commissioner, \$2,750; for the salary of the Deputy, \$2,400; for clerical expenses, \$2,200; for advisory board, \$300; for incidentals, \$500; for feeding stuffs inspection, \$3000; for fertilizer inspection, \$2,500; for nursery inspection, \$500; for seed inspection, \$1000; for insecticides and fungicides, \$500; for resources of State (publication), \$2500; for milk dealers licenses, \$500; for printing report, \$1000; for diseases of animals, \$100,000; for encouragement of sheep industry, \$500; for New Hampshire Horticultural Society, \$2500; for bureau of markets, \$5000; for Granite State Dairymen's Association, \$1000; for apple grading law, \$250; for moth suppression, \$12,500.

Further amend bill by striking out in the last line of the paragraph relating to the appropriations for the Forestry Department the words: "White Pine Blister Rust, \$17,000, and substituting therefor the following: White Pine Blister Rust, \$12,000."

The report was accepted.

Senator Hagerty moved that the Senate resolve itself into a Committee of the Whole for the purpose of considering the above entitled bill.

On a *viva voce* vote the president was in doubt and called for a division.

Nine senators having voted in the affirmative and eight senators having voted in the negative, the motion prevailed.

(In Committee of the Whole.)

(Senator Lufkin in the Chair.)

(The President in the Chair.)

Senator Hagerty offered the following amendment:

Amend the bill by striking out in the last line of the paragraph relating to the appropriation for the Forestry Department the words: "White Pine Blister Rust, \$12,000, and substituting therefor the following: White Pine Blister Rust, \$17,000."

Question being stated: Shall the amendment be adopted?

(Discussion ensued.)

Senator Lane demanded a roll call.

The following named senators voted in the affirmative:

Senators Holmes, Rice, Lane, Hagerty, Tripp, Osgood, Hurley, Janelle.

The following named senators voted in the negative:

Senators Burns, Brown, Hammond, Lufkin, Elder, Adams, Swasey, Hodgdon.

Eight senators having voted in the affirmative and eight senators having voted in the negative, the motion to amend was lost.

Senator Hurley offered the following amendment:

Amend the bill by striking out in the last line of the para-

graph relating to the appropriation for the Forestry Department the words: "White Pine Blister Rust \$12,000 and substituting therefor the following: White Pine Blister Rust \$15,000."

Question being stated: Shall the amendment be adopted?

(Discussion ensued.)

On a *viva voce* vote the President was in doubt and called for a division.

Eight senators having voted in the affirmative and eight senators having voted in the negative, the motion to amend was lost.

On a *viva voce* vote the amendments of the committee were adopted and the bill ordered to a third reading tomorrow morning at 11 o'clock.

On motion of Senator Burns, the Senate adjourned.

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## FRIDAY, MAY 4, 1923.

The Senate met according to adjournment.

### REPORT OF COMMITTEE ON ENGROSSED BILLS.

Senator Osgood, for the Committee on Engrossed Bills, to whom was referred House Bill No. 14, An act in amendment of Chapter 80 of the Laws of 1907, relating to marriages, having considered the same, reported the same under Joint Rule No. 6, with the following amendment and recommended that the bill as amended ought to pass:

Amend said bill by inserting after the word "sixteen" in the fifth line the words "and by inserting after the word 'consent' in the sixth line the words 'or at the suit of his or her parent or guardian.' "

The report of the committee was accepted, amendment adopted, and the bill sent to the House of Representatives for concurrence in Senate amendment.

Senator Osgood, for the Committee on Engrossed Bills, to whom was referred House Bill No. 267, An act to amend

Chapter 38, Laws of 1913. An act providing for the bi-weekly payment of all State employees, except salaried officers, having considered the same, reported the same under Joint Rule No. 6, with the following amendment and recommended that the bill as amended ought to pass:

Amend Section 1 of said bill by inserting after the figure "1" in the first line thereof the following: "Chapter 38, Laws of 1913."

The report of the committee was accepted, amendment adopted, and the bill sent to the House of Representatives for concurrence in Senate amendment.

Senator Osgood for the Committee on Engrossed Bills, to whom was referred House Bill No. 50, An act in amendment of Section 4, Chapter 168, Laws of 1913, relating to the State Highway from Merrimack Valley Road to East Side Route, having considered the same reported the same under Joint Rule No. 6 with the following amendment and recommended that the bill as amended ought to pass:

Amend said bill by inserting after the figures "1913" in the second line of the first section the words "as amended by Section 1, Chapter 66, Laws of 1915."

The report of the committee was accepted, amendment adopted, and the bill sent to the House of Representatives for concurrence in Senate amendment.

Senator Osgood for the Committee on Engrossed Bills, to whom was referred House Bill No. 290, An act in amendment of Section 23, Chapter 133, Laws of 1915, and Section 20, Chapter 133, Laws of 1915, in relation to pheasants, having considered the same reported the same under Joint Rule No. 6 with the following amendment and recommended that the bill as amended ought to pass.

Amend the title of said bill by striking out the whole thereof and substituting the following title: An act relating to fish and game.

Amend Section 1 of said bill by inserting after the figures "1915" in the first line the words: "as amended by Section 5, Chapter 140, Laws of 1921."

Further amend said bill by striking out the first eight

lines of Section 2 and substituting in place thereof the following:

SECT. 2. Amend Section 20, Chapter 133, Laws of 1915, as amended by Section 31, Chapter 184, Laws of 1917, and Section 13, Chapter 152, Laws of 1919, by striking out in Sub-division (c) the word "fifty" wherever it occurs and substituting in place thereof the word "twenty-five."

Further amend said Section 20, Chapter 133, Laws of 1915, as amended, by adding to said section a Sub-division (d) to read as follows:

(d) Male pheasants may be taken and possessed from November first to November sixth inclusive, in Hillsborough, Rockingham and Strafford Counties only. A person may take a total of not more than two male pheasants in any one day and a total of not more than five male pheasants in any one open season.

The report of the committee was accepted, amendment adopted and the bill sent to the House of Representatives for concurrence in Senate amendment.

The following report of the Committee on Engrossed bills was read and accepted:

#### BILLS ENGROSSED.

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and Joint resolutions:

Senate Bill No. 7, An act in relation to the foreclosure of power of sale mortgages of real estate.

Senate Bill No. 34, An act to prohibit the sale and manufacture of inflammable stove polishes.

House Bill No. 23, An act regulating the practice of chaining wheels on hills.

House Bill No. 353, An act relating to pensions for employees of the City of Nashua.

House Bill No. 359, An act in relation to standard time.

House Bill No. 371, An act relating to an abatement of State and County taxes to towns having forest lands in the possession of the National Government.

House Bill No. 385, An act relating to the New Hampshire College of Agriculture and the Mechanic Arts and establishing the University of New Hampshire.

House Bill No. 395, An act in amendment of Section 1, Chapter 93, Laws of 1919, requiring annual returns of corporations.

Senate Bill No. 17, An act relating to the salary of the State agent for the blind.

Senate Bill No. 28, An act in amendment of the fish and game laws relating to the taking and possession of pickerel.

Senate Bill No. 32, An act to provide safety exit facilities of schoolhouses.

Senate Bill No. 37, An act designating the house of correction of Strafford County as a jail.

Senate Bill No. 41, An act to regulate the supply of fuel.

House Bill No. 221, An act in amendment of and addition to Chapter 78, Laws of 1897, as amended by Chapter 30, Laws of 1919, relating to the creation of voting districts and additional polling places in city wards.

House Bill No. 252, An act in amendment of Section 4, Chapter 76, Laws of 1895, relating to the protection from pollution of sources of water used for domestic purposes.

House Bill No. 308, An act to regulate the salary of the solicitor of Rockingham County.

House Bill No. 329, An act in amendment of Chapter 118 of the Session Laws of 1921, entitled: "An act to equalize the salaries of certain State officials and establish maximum salary limits."

House Bill No. 351, An act in amendment of Chapter 177 of the Laws of 1917, entitled: "An act to more effectively restrain agreements to regulate and fix prices of commodities in this State and to restrain combinations and monopolies in commodities and provide penalties therefor."

House Bill No. 354, An act to provide for the taxation of growing timber on wood lots not exceeding fifty acres.

House Bill No. 370, An act relating to motor vehicles.

House Bill No. 394, An act in amendment of paragraph 9



of Section 1, Chapter 83 of the Public Statutes, relating to paupers.

House Bill No. 396, An act to authorize the school district of the Town of Newmarket to exceed its limit of bonded indebtedness as fixed by Chapter 129, Laws of 1917.

House Joint Resolution No. 30, Joint resolution in aid of the Spanish War veterans.

House Joint Resolution No. 46, Joint resolution for improvements at the New Hampshire State Sanatorium.

House Joint Resolution No. 51, Joint resolution in favor of the Margaret Pillsbury General Hospital and Dr. James W. Jameson.

House Joint Resolution No. 56, Joint resolution in favor of Henry Giddis.

House Joint Resolution No. 59, Joint resolution for repairs on State House and care of trees in yard.

House Joint Resolution No. 60, Joint resolution providing for the deficiency of the New Hampshire School for Feeble-Minded Children.

House Joint Resolution No. 67, Joint resolution for the repair of the Webster Birthplace in Franklin.

#### COMMITTEE REPORTS.

On motion of Senator Ripley the rules were so far suspended as to allow the introduction of all committee reports:

#### MAJORITY AND MINORITY REPORTS.

Senator Elder, for a majority of the Committee on Banks, to whom was referred House Bill No. 405, An act relating to the taxation of Guaranty Savings Banks, Trust Companies and similar corporations, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

Senator Ham, for a minority of the Committee on Banks, to whom was referred House Bill No. 405, An act relating to the taxation of guaranty savings banks, trust companies and similar corporations, having considered the same, reported the same without amendment and recommended its passage.

The report of the majority was accepted.

Senator Ham moved that the report of the minority be substituted for that of the majority.

The question being stated: Shall the motion prevail?

(Discussion ensued.)

On a *viva voce* vote the president was in doubt and called for a division.

Seven senators having voted in the affirmative and twelve senators having voted in the negative, the negative prevailed and the motion was lost.

The question being upon the adoption of the resolution, That it is inexpedient to legislate.

On a *viva voce* vote the affirmative prevailed and the resolution was adopted.

Senator Elder, for a majority of the Committee on Banks, to whom was referred House Bill No. 406, An act in amendment of an act relating to the taxation of National Bank Stock approved March 29, 1923, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

Senator Ham, for a minority of the Committee on Banks, to whom was referred House Bill No. 406, An act in amendment of an act relating to the taxation of National Bank Stock approved March 29, 1923, having considered the same, reported the same without amendment and recommended its passage.

The report of the majority was accepted.

Senator Ham moved that the report of the minority be substituted for that of the majority.

On a *viva voce* vote the negative prevailed and the resolution of the majority that it is inexpedient to legislate was adopted.

Senator Holmes, for a majority of the Committee on Claims, to whom was referred House Joint Resolution No. 63, Joint resolution in favor of George W. Fadden, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

Senator Tripp, for a minority of the Committee on Claims, to whom was referred House Joint Resolution No. 63, Joint resolution in favor of George W. Fadden, having considered the same, reported the same without amendment and recommended its passage.

The report of the majority was accepted.

Senator Tripp moved that the report of the minority be substituted for that of the majority.

On a *viva voce* vote the negative prevailed and the motion was lost.

Senator Tripp demanded a roll-call.

The clerk proceeded to call the roll.

The following named senators voted in the affirmative:

Senators Coulombe, Hagerty, Tripp, Osgood, Hurley, Janelle.

The following named senators voted in the negative:

Senators Ripley, Burns, Brown, Hammond, Jaquith, Lufkin, Holmes, Rice, Lane, Ham, Elder, Swasey, Hodgdon.

Six senators having voted in the affirmative and thirteen senators having voted in the negative, the negative prevailed and the motion was lost.

The question being stated: Shall the resolution of the committee that it is inexpedient to legislate be adopted?

On a *viva voce* vote the affirmative prevailed and the resolution was adopted.

Senator Holmes, for a majority of the Committee on Claims, to whom was referred House Joint Resolution No. 64, Joint resolution in favor of Burt J. Carleton, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

Senator Tripp, for a minority of the Committee on Claims, to whom was referred House Joint Resolution No. 64, Joint resolution in favor of Burt J. Carleton, having considered the same reported the same without amendment and recommended its passage.

The report of the majority was accepted, and the resolution that it is inexpedient to legislate adopted.

## RECONSIDERATION OF VOTE.

On motion of Senator Elder the Senate voted to reconsider the vote whereby House Bill No. 397, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1924, was ordered to a third reading.

Senator Elder offered the following amendment:

Amend the bill by adding at the end of Section 1 the following:

For the New Hampshire College of Agriculture and the Mechanic Arts to be expended for the construction of a dormitory wing to the college Commons building, \$90,000, and the State treasurer is hereby authorized, under the direction of the Governor and Council, to borrow on the credit of the State such sums as are needed to carry out the terms of this appropriation not to exceed in all the sum of \$90,000, and for that purpose may issue bonds and notes in the name and on behalf of the State, at the lowest rate of interest obtainable and in such form and such dimensions and on such time as the Governor and Council may determine. Such bonds or notes shall be countersigned by the Governor and shall be deemed a pledge of the faith and credit of the State. The treasurer may negotiate and sell such bonds or notes in such manner as the Governor and Council may determine as most advantageous to the State. The Governor shall draw his warrant on the State treasury for the amounts that may become due from time to time for the purposes aforesaid.

The question being stated: Shall the amendment be adopted?

(Discussion ensued.)

On a *viva voce* vote the president was in doubt.

Senator Coulombe demanded a roll call.

The clerk proceeded to call the roll.

The following named senators voted in the affirmative:

Senators Ripley, Burne, Brown, Hammond, Jaquith, Lufkin, Tripp, Hurley, Janelle, Elder, Swasey, Hodgdon.

The following named senators voted in the negative:

Senators Coulombe, Holmes, Rice, Lane, Hagerty, Osgood, Ham.

Twelve senators having voted in the affirmative and seven senators having voted in the negative, the affirmative prevailed and the amendment was adopted.

Senator Hagerty offered the following amendment:

Amend the bill by striking out in the last line of the paragraph relating to the appropriation for the Forestry Department the words: "White Pine Blister Rust \$10,000" and substituting therefor the following: "White Pine Blister Rust \$15,000."

The question being stated: Shall the amendment be adopted?

On a *viva voce* vote the negative prevailed.

Senator Coulombe demanded a roll-call.

The following named senators voted in the affirmative:

Senators Coulombe, Rice, Lane, Hagerty, Tripp, Osgood, Hurley, Janelle, Hodgdon.

The following named senators voted in the negative:

Senators Ripley, Burns, Brown, Hammond, Jaquith, Lufkin, Holmes, Ham, Elder, Swasey.

Nine senators having voted in the affirmative and ten senators having voted in the negative, the negative prevailed and the amendment was lost.

On motion of Senator Ham, the rules were suspended and the foregoing entitled bill ordered to a third reading at the present time.

On motion of Senator Hurley, the rules were further suspended and the bill read a third time by title, passed and sent to the House of Representatives for concurrence in Senate amendments.

On motion of Senator Hurley, the rules were suspended and the following entitled bill read a third time by title, passed and sent to the House of Representatives for concurrence in Senate amendments.

House Bill No. 398, An act making appropriations for the

expenses of the State of New Hampshire for the year ending June 30, 1925.

COMMITTEE REPORTS.

Senator Osgood, for the Committee on Judiciary, to whom was referred House Joint Resolution No. 70, Joint resolution relating to the calling of the Constitutional Convention, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the bill ordered to a third reading this afternoon at two o'clock.

Senator Osgood, for the Committee on Judiciary, to whom was referred House Bill No. 176 (In New Draft), An act in amendment of Chapter 163 of the Laws of 1911, entitled: An act in relation to employers' liability and workmen's compensation, having considered the same, reported the same with the following amendment and recommended its passage:

Amend Section 2 of said bill by striking out after the word "amend," the following words, "Section 6, Division 1, by striking out the words "Three Thousand" as the same appear therein and by substituting therefor the words "Forty Five Hundred," and amend."

Further amend said section by striking out the words "four thousand five hundred dollars," in the twenty-fourth line of said section and substituting therefor the words "three thousand dollars" so that said section as amended shall read as follows:

SECT. 2. Amend Section 1, Division 1, Sub-division A, by striking out the words "resident of this State," and amend Division 2 of said section by inserting in the first sentence after the words "gainful employment" the words "for not less than one week" and by striking out in said sentence the words "at the end of the second week after" and by inserting in place thereof the words "from the time of," and further amend said Division 2 by striking out the words "Ten Dollars" as the same appear therein and by substituting therefor the words "Fifteen Dollars," so that as amended, said section shall read:

"SECT. 6. (1) The amount of compensation shall be, in case death results from injury: (a) If the workman leaves any widow, children or parents, at the time of his death, then wholly dependent on his earnings, a sum to compensate them for loss, equal to one hundred and fifty times the average weekly earnings of such workman when at work on full time during the preceding year during which he shall have been in the employ of the same employer, or if he shall have been in the employment of the same employer for less than a year then one hundred and fifty times his average weekly earnings on full time for such less period, but in no event shall such sum exceed three thousand dollars. Any weekly payments made under this act shall be deducted from the sum so fixed. (b) If such widow, children or parents at the time of his death are in part only dependent upon his earnings, such proportion of the benefits provided for those wholly dependent as the amount of the wage contributed by the deceased to such partial dependents at the time of injury bore to the total wage of the deceased. (c) If he leaves no such dependents, the reasonable expenses of his medical attendance and burial, not exceeding one hundred dollars. Whatever sum may be determined to be payable under this act in case of death of the injured workman shall be paid to his legal representative for the benefit of such dependents, or if he leaves no such dependents, for the benefit of the persons to whom the expenses of medical attendance and burial are due.

(2) Where total or partial incapacity for work at any gainful employment for not less than one week results to the workman from the injury, a weekly payment commencing from the time of the injury and continuing during such incapacity, subject as herein provided, not exceeding fifty per centum of his average weekly earnings when at work on full time during the preceding year during which he shall have been in the employment of the same employer, or if he shall have been in the employment of the same employer for less than a year, then a weekly payment of not exceeding one half the average weekly earnings on full time for such

less period. In fixing the amount of the weekly payment, regard shall be had to the difference between the amount of the average earnings of the workman before the accident and the average amount he is able to earn thereafter as wages in the same employment or otherwise. In fixing the amount of the weekly payment, regard shall be had to any payment, allowance or benefit which the workman may have received from the employer during the period of his incapacity, and in the case of partial incapacity the weekly payment shall in no case exceed the difference between the amount of the average weekly earnings of the workman before the accident and the average weekly amount which he is earning or is able to earn in the same employment or otherwise after the accident, but shall amount to one-half of such difference. In no event shall any compensation paid under this act exceed the damage suffered, nor shall any weekly payment payable under this act in any event exceed fifteen dollars a week or extend over more than three hundred weeks from the date of the accident. Such payment shall continue for such period of three hundred weeks provided total or partial disability continue during such period. No such payment shall be due or payable for any time prior to the giving of the notice required by Section 5 of this act."

The report was accepted, amendment adopted and the bill as amended ordered to a third reading this afternoon at two o'clock.

#### RECONSIDERATION OF VOTE.

On motion of Senator Ripley, the Senate voted to reconsider the vote whereby House Joint Resolution No. 50, Joint resolution to provide for a water supply and for improvement of land at the State Forest Nursery was ordered to a third reading.

The above entitled bill was referred to the Committee on Finance under the rules.

The following message was received from the House of Representatives by its clerk:



## HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has concurred with the Senate in the passage of the following bill and joint resolution:

Senate Bill No. 39, An act in amendment of Section 16, Chapter 92, Laws of 1919, as amended by Chapter 97, Laws of 1921, said act relating to business corporations.

Senate Joint Resolution No. 4, Joint resolution in favor of Euclide and Marie Halde, parents of Wilfred X. Halde, formerly Private, Battery "13," 172nd Field Artillery, New Hampshire National Guard; killed September 23, 1922 at Concord, New Hampshire.

The message further announced that the House of Representatives had concurred with the Senate in its amendment to the following entitled bill and Joint resolution:

House Bill No. 384, An act in amendment of Section 2, Chapter 116, Laws of 1913, relating to caboose cars.

House Joint Resolution No. 4, Joint resolution to enable the State to cooperate with the United States in the promotion of the welfare and hygiene of maternity and infancy in the State of New Hampshire.

The message also announced that the House of Representatives had concurred with the Senate in its adoption of the amendment of the Engrossed Bills Committee, to the following bills:

House Bill No. 366, An act in amendment of Chapter 125, Laws of 1921, providing for a reduction in the allotments of State aid for schools when the appropriation is insufficient to meet the approved claims of the school districts.

House Bill No. 26, An act to control the possession, sale and use of pistols and revolvers.

House Bill No. 367, An act in amendment of Chapter 208, Laws of 1883, entitled: "An act to incorporate the New Hampshire Odd Fellow's Widows' and Orphans' Home, as amended by Chapter 174, Laws of 1885."

The message also announced that the House of Representatives refuses to concur with the Senate in the passage of the following bill:

House Bill No. 380 (In Senate New Draft), An act relating to persons convicted of operating motor vehicles while under the influence of intoxicating liquor.

And has voted to request that a Committee of Conference be appointed in the Honorable Senate to meet with Messrs. Martin and Lyford of Concord and Normandin of Laconia, appointed by the Speaker as conferees on the part of the House.

On motion of Senator Ripley, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference and the President appointed Senators Ripley, Jaquith and Lufkin as conferees on the part of the Senate.

The message also announced that the House of Representatives refuses to concur with the Senate in the amendment to the following bill:

House Bill No. 163, An act in amendment of Chapter 212 of the Laws of 1913, relating to advertisements during strikes, lockouts or other labor disputes.

And has voted to request that a Committee of Conference be appointed in the Honorable Senate to meet with Messrs. Stevens of Landaff and Wood of Portsmouth and Craig of Manchester, appointed by the Speaker as conferees on the part of the House.

On motion of Senator Swasey, the Senate voted to accede to the request of the House of Representatives for a Committee of Conference and the President appointed Senators Swasey, Ripley and Lane as conferees on the part of the Senate.

The House of Representatives has adopted the amendment of the Engrossed Bills Committee to the following bill in the adoption of which amendment it asks the concurrence of the Honorable Senate:

House Bill No. 204, An act in amendment of Section 1 of Chapter 96 of the Session Laws of 1901, entitled: "An act relating to high schools as amended by Chapter 118, Laws of 1903, as amended by Chapter 16, Laws of 1917.

Amend the title of said bill by striking out the whole thereof and substituting the following title:

"An act relative to the tuition of children attending high school from districts not maintaining high schools."

Further amend said bill by striking out the whole of Section 1 and substituting in place thereof the following:

SECTION 1. Amend Section 24, Part IV, Chapter 85, Laws of 1921, by striking out the whole thereof and substituting in place thereof the following:

SECT. 24. Any district not maintaining a high school or school of corresponding grade shall pay for the tuition of any child who with parents or guardian resides in said district and who attends a high school or academy in another district in this State, and the parent or guardian of such child shall notify the school board of the district in which he resides of the high school or academy which he has determined to attend; *provided, however*, that no district shall be liable for tuition of a child in any school, in excess of the average cost per child of instruction for the regularly employed teachers of that school and the cost of textbooks, supplies, and apparatus during the school year preceding, nor in any case shall the district be liable for tuition for any child in excess of seventy dollars (\$70) per year and in senior high school work only.

The Senate voted to concur with the House of Representatives in the foregoing amendments.

The message also announced that the House of Representatives had passed the following entitled bill, in the passage of which it asks the concurrence of the Honorable Senate:

House Bill No. 9, An act to establish a legal rate of interest.

The Senate refused to accept the above entitled bill, two-thirds of those present failing to vote in favor of the suspension of Rule 11 of the Joint Rules of the Senate and House of Representatives.

#### REPORT OF COMMITTEE OF CONFERENCE.

The Committee of Conference, to whom was referred House Bill No. 73, An act in amendment of Section 13 of

Chapter 191 of the Public Statutes, relating to suits by and against administrators, having considered the differences between the Senate and the House, make the following report:

Strike out paragraph 4 of Section 13 of Chapter 191 of the Public Statutes, as amended by House Bill No. 73, and insert in place thereof the following:

4. If there be a child or children and no widow or widower, to the children of the deceased in equal shares the whole thereof, provided no child or children are dependent. If there be minor children and dependent child or children, the whole thereof to the minor children and the dependent child or children in equal shares.

LEON D. RIPLEY,  
CLINTON S. OSGOOD,  
*Conferees on part of Senate.*

NATHANIEL E. MARTIN,  
JAMES O. LYFORD,  
*Conferees on part of House.*

On motion of Senator Ripley, the Senate voted to adopt the recommendation of the Committee of Conference.

#### BILL RECALLED FROM GOVERNOR.

On motion of Senator Coulombe, the following resolution was adopted:

*Resolved*, That the Governor be requested to return to the Senate for further consideration the following entitled bill:

House Bill No. 404, An act in amendment of Section 29, Chapter 133, Laws of 1915, as amended by Section 6, Chapter 140, Laws of 1921, relating to fish and game.

#### THIRD READINGS.

The following entitled bill was read a third time and passed:

House Bill No. 231, An act in amendment of Section 1, Chapter 41 of the Laws of 1921, relating to the exemption

from taxation of the property of educational, charitable, religious and other societies and institutions.

The following entitled bill was read a third time:

House Bill No. 276 (In Senate New Draft), An act relating to pensioning of employees of the Water Works Department of the City of Manchester.

The question being stated: Shall the bill pass?

On a *viva voce* vote the president was in doubt and called for a division.

Ten senators having voted in the affirmative and seven senators having voted in the negative, the affirmative prevailed, the bill passed and was sent to the House of Representatives for concurrence in Senate new draft.

The following entitled bill was read a third time, passed and sent to the House of Representatives for concurrence in Senate new draft:

House Bill No. 341 (In Senate New Draft). An act relating to pensions of employees of the City of Manchester.

On motion of Senator Swasey, the Senate adjourned.

## AFTERNOON.

### THIRD READINGS.

The following joint resolution was read a third time and passed:

House Joint Resolution No. 70. Joint resolution relating to the calling of the Constitutional Convention.

On motion of Senator Osgood, the rules were suspended and the following entitled bill read a third time by title:

House Bill No. 176 (In New Draft), An act in amendment of Chapter 163 of the Laws of 1911, entitled: An act in relation to employers' liability and workmen's compensation.

Question being stated, Shall the bill pass?

On a *viva voce* vote the President was in doubt and called for a division.

Senator Osgood demanded a roll call.

The clerk proceeded to call the roll.

The following named senators voted in the affirmative.

Senators Coulombe, Ripley, Burns, Brown, Hammond, Jaquith, Lufkin, Holmes, Rice, Lane, Hagerty, Tripp, Os-good, Hurley, Janelle, Ham, Elder, Swasey, Hodgdon.

Nineteen senators having voted in the affirmative, the bill passed and was sent to the House of Representatives for concurrence in Senate amendments.

The following message was received from the House of Representatives by its clerk:

#### HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has concurred with the Senate in the passage of the following bills:

House Bill No. 341 (In Senate New Draft), An act relating to pensions for employees of the City of Manchester.

House Bill No. 276 (In Senate New Draft), An act relating to pensioning of employees of the Water Works Department of the City of Manchester.

The message further announced that the House of Representatives had concurred with the Senate in its adoption of the amendments of the Committee on Engrossed Bills to the following House Bills:

House Bill No. 14 (In New Draft, In Senate New Draft), An act in amendment of Chapter 80 of the Laws of 1907, relating to marriages.

House Bill No. 50 (In New Draft), An act in amendment of Section 4, Chapter 168, Laws of 1913, relating to the State Highway from Merrimack Valley Road to East Side Route.

House Bill No. 267, An act to amend Chapter 38, Laws of 1913, an act for the bi-weekly payment of all State employees except salaried officers.

House Bill No. 290 (In New Draft), An act in amendment of Section 23, Chapter 133, Laws of 1915, and Section 20, Chapter 133, Laws of 1915, relating to pheasants.

The message also announced that the House of Representatives had adopted the amendment of the Engrossed

Bills Committee to the following bills, in the adoption of which amendment it asks concurrence of the Honorable Senate:

House Bill No. 341 (In Senate New Draft), An act relating to pensions for employees of the City of Manchester.

Amend Section 1 of said bill by inserting after the word "which" in the sixth line the word "any"; by inserting after the word "of" in the eighth line the word "such"; by striking out the word "departments" in the eighth line and substituting therefor the word "department"; by striking out the word "any" in the ninth line and substituting therefor the word "such."

The Senate voted to concur with the House of Representatives in the foregoing amendment.

House Bill No. 79, An act in amendment of Section 7 of Chapter 58 of the Laws of 1915, entitled: An act creating a Board of Bank Commissioners and abolishing the office of State Auditor.

Amend Section 1 of said bill by adding after the word "limits" in the eleventh line an additional sentence to read as follows: The commissioners and the examiner shall be allowed their actual traveling expenses when engaged in their official duties, upon approval of the Governor and Council.

The Senate voted to concur with the House of Representatives in the foregoing amendment.

The message also announced that the House of Representatives has concurred with the Senate in its amendments to the following bills and resolutions:

House Joint Resolution No. 50, Joint resolution to provide for a water supply and for improvement of land at the State Forest Nursery.

House Bill No. 176 (In New Draft), An act in amendment of Chapter 163 of the Laws of 1911, entitled: An act in relation to the employer's liability and workmen's compensation.

House Bill No. 158, An act in amendment of Sections 4 and 5 of Chapter 65 of the Public Statutes and all amendments thereto relating to the taxation of savings banks.

The message also announced that the House of Repre-

sentatives refused to concur with the Senate in the passage of its amendments to the following entitled bills:

House Bill No. 397. An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1924.

House Bill 398. An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1925.

And has voted to request a committee on conference to meet with Messrs. Barry of Nashua, Lord of Manchester, and Nourse of Littleton, appointed by the speaker as conferees on the part of the House.

On motion of Senator Brown, the Senate voted to accede to the request of the House of Representatives for a committee of conference, and the President appointed as members of such committee on the part of the Senate, Senators Brown, Elder and Hammond.

The Senate took a recess subject to the call of the chair.

(Recess.)

The Senate reassembled.

The following message was received from the House of Representatives by its clerk:

#### HOUSE MESSAGE.

*Mr. President:*

The Speaker of the House of Representatives has appointed Messrs. Osborne of Sunapee and Cheney of Concord as additional conferees on the part of the House to consider the following House Bills:

House Bill No. 397. An act making appropriations for expenses of the State of New Hampshire for the year ending June 30, 1924.

House Bill No. 398. An act making appropriation for expenses of the State of New Hampshire for the year ending June 30, 1925.

The President appointed Senators Osgood and Hurley as additional conferees on the part of the Senate.



## COMMITTEE REPORTS.

Senator Hammond for the Committee on Finance, to whom was referred:

House Bill No. 407. An act providing for appropriation for certain expenses of the State for the year ending June 30, 1925.

House Bill No. 408. An act providing for appropriation for certain expenses of the State for the year ending June 30, 1925.

House Bill No. 409. An act to provide for the assessment and collection of an annual State tax for the term of two years.

House Bill No. 326. An act in amendment of Chapter 220 of the Laws of 1917, entitled: "An act relating to the salaries of certain State officials, in amendment of Section 11, Chapter 286 of the Public Statutes."

House Joint Resolution No. 71. Joint resolution in favor of James W. Pridham, Frederick W. Moore and others.

Having considered the same, reported the same without amendment and recommended their passage.

The reports were accepted.

On motion of Senator Brown, the rules were suspended and the above entitled bills and joint resolution were ordered to a third reading and final passage at the present time.

On motion of Senator Ripley, the rules were further suspended and the bills read a third time by title and the joint resolution read a third time by caption and passed.

Senator Hammond for the Committee on Finance, to whom was referred House Joint Resolution No. 50. Joint resolution to provide for a water supply and for improvement of land at the State Forest Nursery.

Having considered the same, reported the same with the following amendment and recommended its passage:

Amend the bill by striking out the words and figures "four thousand dollars (\$4,000)" in the eighth line and inserting in place thereof the words and figures "three thousand dollars (\$3,000)."

The report was accepted and the amendment adopted.

On motion of Senator Brown the rules were suspended and the joint resolution read a third time, passed and sent to the House of Representatives for concurrence in Senate amendment.

Senator Hammond for the Committee on Finance, to whom was referred House Bill No. 172, An act relating to the salary of the Motor Vehicle Commissioner, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted.

Senator Brown moved that the rules be suspended and that the bill be put upon its third reading and final passage at the present time.

Question being stated: Shall the motion prevail?

(Discussion ensued.)

On a *viva voce* vote the President was in doubt and called for a division.

Twelve Senators having voted in the affirmative, and seven Senators having voted in the negative, the rules were suspended and the bill passed.

Senator Hammond, for the Committee on Finance to whom was referred:

House Joint Resolution No. 24, Joint resolution in favor of George I. Philbrick, having considered the same reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution adopted.

Senator Hurley for the Committee on Claims to whom was referred:

House Joint Resolution No. 49, Joint resolution in favor of K. R. Foster, having considered the same, reported the same without amendment and recommended its passage.

The report was accepted and the joint resolution referred to the Committee on Finance under the rules.

The following message was received from the House of Representatives by its clerk:

## HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has concurred with the Senate in the adoption of the amendment of the committee on conference to the following bill:

House Bill No. 73, An act in amendment of Section 13 of Chapter 191 of the Public Statutes, relating to suits by and against administrators.

The message further announced that the House of Representatives had adopted the report, that the House receded from its position of the Committee of Conference on the following bill and concurred with the Honorable Senate in its passage:

House Bill No. 380 (In Senate New Draft), An act relating to persons convicted of operating motor vehicles while under the influence of intoxicating liquor.

The Senate took a recess subject to the call of the Chair.

(Recess.)

The Senate reassembled.

## BILL RETURNED FROM THE GOVERNOR.

Pursuant to a request the Governor returned to the Senate the following entitled bill:

House Bill No. 404, An act in amendment of Section 29, Chapter 133, Laws of 1915, as amended by Section 6, Chapter 140, Laws of 1921, relating to fish and game.

On motion of Senator Coulombe the Senate voted to reconsider the vote whereby House Bill No. 404, An act in amendment of Section 29, Chapter 133, Laws of 1915, as amended by Section 6, Chapter 140, Laws of 1921, relating to fish and game, passed.

Question recurring: Shall the bill pass?

On a *viva voce* vote the negative prevailed and the bill did not pass.

The conferees on the part of the Senate appointed to consider the following entitled bills:

House Bill No. 397, An act making appropriations for the

expenses of the State of New Hampshire for the year ending June 30, 1924.

House Bill No. 398, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1924.

Being unable to agree with the conferees on the part of the House of Representatives, returned to the Senate for instructions.

Senator Ripley offered the following motion:

That the Senate recede from its position in regard to the amendment of the paragraph, relating to the Forestry Department, in both bills, and to its amendment, relating to the New Hampshire College of Agriculture, and the Mechanic Arts, added at the end of Section 1, of House Bill No. 397, but that it insists upon its amendments to the paragraphs relating to the Attorney-General's Department, the Department of the State Board of Education, and the Department of Agriculture.

The question being stated: Shall the motion prevail?

(Discussion ensued.)

On a *viva voce* vote the President was in doubt, and called for a division.

Senator Ham demanded a roll call.

The clerk proceeded to call the roll.

The following named Senators voted in the affirmative.

Senators Coulombe, Ripley, Burns, Lufkins, Holmes, Rice, Lane, Hagerty, Tripp, Osgood, Janelle, Ham.

The following named Senators voted in the negative:

Senators Brown, Hammond, Jaquith, Elder, Swasey, Hodgdon.

Twelve Senators having voted in the affirmative, and six Senators having voted in the negative, the motion prevailed, and the conferees so instructed.

The Senate took a recess subject to the call of the Chair.

(Recess.)

The Senate reassembled.

## REPORT OF COMMITTEE OF CONFERENCE.

The Committee of Conference, to whom was referred the differences between the Senate and the House, on House Bill No. 163, An act in amendment of Chapter 212 of the Laws of 1913, relating to advertisements during strikes, lockouts or other labor disputes, have reached a conclusion and make the following report:

The Committee on the part of the Senate recommend that the Senate recede from the amendment adopted by the Senate and agree to the bill as passed by the House.

C. L. LANE,

L. D. RIPLEY,

*Conferees on part of Senate.*

RAYMOND B. STEVENS,

GEO. A. WOOD,

ORA W. CRAIG,

*Conferees on part of House.*

On motion of Senator Ripley, the Senate adopted the recommendation of the Committee of Conference.

The following message was received from the House of Representatives by its clerk:

## HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has adopted the report of the Committee on Conference to the following entitled bills:

House Bill No. 397, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1924.

House Bill No. 398, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1925.

## REPORT OF COMMITTEE OF CONFERENCE.

The Committee of Conference to whom was referred House Bill No. 397, An act making appropriations for the

expenses of the State of New Hampshire for the year ending June 30, 1924, make the following report:

The committee recommends that the House recede from its position of non-concurrence and agree to concur with the Senate in the increase in the Attorney-General's Department from \$31,900 to \$33,750 for the year ending June 30, 1924.

The committee recommends that the House recede from its position of non-concurrence and agree to concur with the Senate in the increase in the department of the State Board of Education from \$486,000 to \$532,000 for the year ending June 30, 1924.

The committee recommends that the Senate recede from its position of non-concurrence and agree to concur with the House in the appropriation for the Department of Forestry for the year ending June 30, 1924.

The committee recommends that the Senate recede from its position of non-concurrence and agree to concur with the House in the appropriation for the New Hampshire College of Agriculture and the Mechanic Arts for the year ending June 30, 1924.

The committee recommends that the House recede from its position of non-concurrence and agree to concur with the Senate in the increase in the Department of Agriculture (for diseases of animals) from \$85,000 to \$100,000 for the year ending June 30, 1924.

ORA A. BROWN,  
H. FOSTER ELDER,  
JOHN A. HAMMOND,  
CLINTON S. OSGOOD,  
JOHN S. HURLEY,

*Conferees for the Senate.*

WILLIAM H. BARRY,  
HARRY T. LORD,  
FRED O. NOURSE,  
HARRY M. CHENEY,  
LEO L. OSBORNE,

*Conferees for the House.*

On motion of Senator Brown the Senate adopted the recommendation of the Committee of Conference.

The Committee of Conference, to whom was referred House Bill No. 398, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1925, make the following report:

The Committee recommends that the House recede from its position of non-concurrence and agree to concur with the Senate in the increase in the Attorney-General's Department from \$32,750 to \$34,700 for the year ending June 30, 1925.

The Committee recommends that the House recede from its position of non-concurrence and agree to concur with the Senate in the increase in the Department of the State Board of Education from \$486,000 to \$542,000 for the year ending June 30, 1925.

The Committee recommends that the House recede from its position of non-concurrence and agree to concur with the Senate in the increase in the Department of Agriculture (for diseases of animals), from \$85,000 to \$100,000 for the year ending June 30, 1925.

The Committee recommends that the Senate recede from its position of non-concurrence and agree to concur with the House in the appropriation for the Department of Forestry for the year ending June 30, 1925.

ORA A. BROWN,  
JOHN A. HAMMOND,  
H. FOSTER ELDER,  
CLINTON S. OSGOOD,  
JOHN S. HURLEY,

*Conferees for the Senate.*

WILLIAM H. BARRY,  
HARRY T. LORD,  
FRED O. NOURSE,  
HARRY M. CHENEY,  
LEO L. OSBORNE,

*Conferees for the House.*

On motion of Senator Brown the Senate adopted the recommendation of the Committee of Conference.

#### COMMITTEE REPORT.

Senator Hammond, for the Committee on Finance, to whom was referred:

House Joint Resolution No. 49, Joint resolution in favor of K. R. Foster, having considered the same reported the same without amendment and recommended its passage.

The report was accepted.

On motion of Senator Brown, the rules were suspended and the joint resolution read a third time and passed.

The following report of the Committee on Engrossed Bills was read and accepted:

#### BILLS ENGROSSED.

The Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and Joint resolutions:

Senate Bill No. 10, An act in amendment of Chapter 56 of the Public Statutes, as amended by Chapter 12 of the Laws of 1921, relating to the exemption from taxation of veterans of the War of the Rebellion, the Spanish-American War, the Philippine Insurrection, the World War, and their wives and widows.

Senate Bill No. 29, An act in amendment of Section 3, Chapter 187 of the Session Laws of the year 1913, relating to the registration of foreign corporations.

Senate Bill No. 35, An act to establish waterworks in the Town of Hooksett or any village districts thereof.

Senate Bill No. 39, An act in amendment of Section 16, Chapter 92, Laws of 1919, as amended by Chapter 97, Laws of 1921, said act relating to business corporations.

House Bill No. 26, An act to control the possession, sale, and use of pistols and revolvers.

House Bill No. 28, An act for the taxing of income derived from intangibles.

House Bill No. 76, An act in amendment of Section 16 of



Chapter 155, Laws of 1921, relating to the permanent construction of highway bridges throughout the State.

House Bill No. 111, An act relating to the salary of the deputy register of probate of the County of Merrimack.

House Bill No. 230, An act to provide additional accommodations at the New Hampshire State Hospital.

House Bill No. 266, An act to increase the bounty on wild cats.

House Bill No. 273, An act relating to poll tax of soldiers' widows.

House Bill No. 325, An act to regulate the sale of grain.

House Bill No. 344, An act in regard to the construction and maintenance of State aid, trunk line, cross state, and State roads.

House Bill No. 367, An act in amendment of the Charter of the New Hampshire Odd Fellows' Home.

House Bill No. 374, An act authorizing permits to kill injurious animals.

House Bill No. 378, An act to amend Section 8 of Chapter 133 of the Laws of 1915, relating to damages by game birds and quadrupeds.

House Bill No. 384, An act in amendment of Section 2, Chapter 116, Laws of 1913, relating to caboose cars.

House Bill No. 386, An act concerning the granting of permits for the soliciting of funds for charitable purposes and for sale of tags, flowers or other objects for charitable purposes.

House Bill No. 389, An act empowering the City of Nashua to incur debts to the amount of six per cent. of its valuation.

House Bill No. 399, An act in amendment of Section 1, Chapter 30, Laws of 1915, relating to municipal courts.

House Bill No. 401, An act authorizing the school district of the Town of Epping to borrow money in excess of the limit prescribed by law.

House Bill No. 402, An act in amendment of Section 6, Chapter 103, Laws of 1915, relating to the report of the highway commissioner.

House Bill No. 158, An act in amendment of Sections 4 and 5 of Chapter 65 of the Public Statutes and all amendments thereto, relating to the taxation of savings banks.

House Bill No. 209, An act to make uniform the law relating to the sale of goods and to be known as the Uniform Sales Act.

House Bill No. 218, An act to provide for a road toll and to amend Laws of 1921, Chapter 119, Section 25, relative to license fees on motor vehicles.

House Bill No. 350, An act in amendment of Section 1, Chapter 45, Laws of 1905, as amended by Chapter 25, Laws of 1915, entitled: "An act for the protection of savings banks and other savings institutions."

House Bill No. 360, An act relative to the law of the road.

House Bill No. 375, An act relating to bonds to be furnished by officers of savings banks.

House Bill No. 400, An act authorizing the Town of Alton to vote to exempt from local taxes a proposed dam on Merrymeeting River.

House Bill No. 403, An act to authorize a proposed village sewer district in the Town of Derry to borrow money and to issue bonds.

House Bill No. 176, An act in amendment of Chapter 163 of the Laws of 1911, entitled "An act in relation to employers' liability and workmen's compensation."

House Bill No. 231, An act in amendment of Section 1 of Chapter 41 of the Laws of 1921, relating to the exemption from taxation of the property of educational, charitable, religious and other societies and institutions.

House Bill No. 341, An act relating to pensions for employees of the City of Manchester.

House Bill No. 397, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1924.

House Bill No. 398, An act making appropriations for the expense of the State of New Hampshire for the year ending June 30, 1925.

House Bill No. 79, An act in amendment of Section 7 of

Chapter 58 of the Laws of 1915, entitled "An act creating a board of bank commissioners and abolishing the office of State Auditor."

House Bill No. 163, An act in amendment of Chapter 212 of the Laws of 1913, relating to advertisements during strikes, lockouts or other labor disputes.

House Bill No. 276, An act relating to pensioning of employees of the waterworks department of the City of Manchester.

House Bill No. 290, An act relating to fish and game.

House Bill No. 380, An act relating to persons convicted of operating motor vehicles while under the influence of intoxicating liquor.

House Bill No. 407, An act providing for appropriations for certain expenses of the State for the year ending June 30, 1925.

House Bill No. 408, An act providing for appropriations for certain expenses of the State for the year ending June 30, 1924.

House Bill No. 409, An act to provide for the assessment and collection of an annual State Tax for the term of two years.

House Bill No. 14, An act in amendment of Chapter 80, of the Laws of 1907, relating to marriages.

House Bill No. 50, An act in amendment of Section 4, Chapter 168, Laws of 1913, relating to the State Highway from Merrimack Valley Road to East Side Route.

House Bill No. 73, An act in amendment of Section 13 of Chapter 191 of the Public Statutes, relating to suits by and against administrators.

House Bill No. 172, An act relating to the salary of the motor vehicle commissioner.

House Bill No. 204, An act in amendment of Section 1 of Chapter 96 of the Session Laws of 1901, entitled, "An act relating to high schools," as amended by Chapter 118 of the Session Laws of 1903, as amended by Chapter 16, Laws of 1917.

House Bill No. 267. An act to amend Chapter 38, Laws of

1913, "An act providing for the bi-weekly payment of all State employees, except salaried officers."

House Bill No. 326, An act in amendment of Chapter 220 of the Laws of 1917, entitled: "An act relating to the salaries of certain State Officials, in amendment of Section 11, Chapter 286 of the Public Statutes."

House Bill No. 366, An act in amendment of Chapter 125, Laws of 1921, providing for a reduction in the allotments of State Aid for schools when the appropriation is insufficient to meet the approved claims of the school districts.

Senate Joint Resolution No. 4, Joint resolution in favor of Euclide and Marie Halde, parents of Wilfred X. Halde, formerly Private, Battery B, 172nd Field Artillery, New Hampshire National Guard, killed September 23, 1922, at Concord, New Hampshire.

House Joint Resolution No. 3, Joint resolution providing for the erection of a dormitory at the Keene normal school.

House Joint Resolution No. 4, Joint resolution to enable the State to co-operate with the United States in the promotion of the welfare and hygiene of maternity and infancy in the State of New Hampshire.

House Joint Resolution No. 32, Joint resolution to provide for co-operation with the United States geological survey in the establishment and maintenance of stream flow gauging stations.

House Joint Resolution No. 35, Joint resolution for the repair of the highway leading from Dorchester to Lyme.

House Joint Resolution No. 45, Joint resolution for the improvement of a highway leading from Freedom to East Madison.

House Joint Resolution No. 48, Joint resolution in favor of the New Hampshire State Prison.

House Joint Resolution No. 53, Joint resolution for the improvement of the main road leading from Effingham Falls to South Effingham.

House Joint Resolution No. 55, Joint resolution providing for the making of improvements, purchase of property and necessary repairs upon the buildings and grounds of the New

Hampshire Veterans' Association at the Weirs for the fiscal years 1923-1924 and 1924-1925.

House Joint Resolution No. 65, Joint resolution in favor of Charles H. Chandler.

House Joint Resolution No. 66, Joint resolution in favor of Clarence G. Gove.

House Joint Resolution No. 68, Joint resolution to assist the Cities of Portsmouth and Dover in celebrating the three hundredth anniversary of the first settlement of the State.

House Joint Resolution No. 70, Joint resolution relating to the calling of the constitutional convention.

House Joint Resolution No. 16, Joint resolution for the repair and improvement of highways in the Town of Brookfield.

House Joint Resolution No. 18, Joint resolution in favor of repairing Sugar Loaf Road in the Town of Alexandria.

House Joint Resolution No. 26, Joint resolution for improvements at the School for Feeble-Minded Children.

House Joint Resolution No. 31, Joint resolution for the improvement of the main road in the Town of Tamworth from Whittier to Chocorua.

House Joint Resolution No. 49, Joint resolution in favor of K. R. Foster.

House Joint Resolution No. 50, Joint resolution to provide for a water supply and for improvement of land at the State Forest Nursery.

House Joint Resolution No. 71, Joint resolution in favor of James W. Pridham, Frederick W. Moore and others.

#### JOINT RESOLUTIONS INDEFINITELY POSTPONED.

By the concurrent resolution previously adopted by the House of Representatives and Senate that all reports, bills and joint resolutions pending in either branch of the legislature on Friday, the fourth day of May, at five o'clock in the afternoon, be indefinitely postponed, the following joint resolutions are indefinitely postponed:

Senate Joint Resolution No. 1, Joint resolution providing for a fact-finding commission relative to proposed legislation as to hours of labor.

Senate Joint Resolution No. 2, Joint resolution to provide for a commission for an investigation of the facts pertaining to proposed 48 hour legislation for women and children in industry.

The following message was received from the House of Representatives by its clerk:

HOUSE MESSAGE.

*Mr. President:*

The House of Representatives has passed the following concurrent resolution, in the passage of which it asks the concurrence of the Honorable Senate:

*Resolved*, By the House of Representatives, the Senate concurring, that a committee of ten be appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the session and is ready to receive any communication he may be pleased to make.

On motion of Senator Rice, the Senate concurred in the foregoing concurrent resolution sent up from the House of Representatives.

The President appointed as members of such committee on the part of the Senate, Senators Rice, Tripp, Coulombe, Swasey, Elder, Holmes, Burns, Lane.

COMMITTEE REPORT.

Senator Rice, for the joint select committee appointed to wait upon His Excellency, the Governor, and inform him that the legislature had completed the business of the session and was ready to receive any communication that he might be pleased to make, reported that they had attended to their duty and had been informed by His Excellency that he would, in person, make a communication to the legislature herewith.

His Excellency, Honorable Fred H. Brown, attended by the Honorable Council, then appeared and made the following communication to the Senate:

*To the Honorable Senate:*

Having been informed by joint committee of the Senate and House of Representatives that you have completed the business of the session and are ready to adjourn, I do by the authority vested in me as Governor hereby declare the General Court of New Hampshire adjourned to the last Wednesday in December, in the year of Our Lord, one thousand nine hundred and twenty-four.

FRED H. BROWN,  
*Governor.*

And thereupon the President, in accordance with the proclamation of His Excellency, the Governor, and by virtue of the authority vested in him, declared the Senate adjourned to the last Wednesday in December, in the year of Our Lord, one thousand nine hundred and twenty-four.

BERNARD B. CHASE,  
*Clerk.*

A true copy. Attest:

BERNARD B. CHASE,  
*Clerk.*





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JANUARY SESSION, 1923





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WEDNESDAY, JANUARY 3, 1923.

On the first Wednesday in January, in the year of our Lord, one thousand nine hundred and twenty-three, being the day designated by the constitution for the assembling of that body, the one hundred and eighteenth General Court of the State of New Hampshire convened at the Capitol in the City of Concord, and the representatives-elect were called to order by Harrie M. Young, clerk of the House for the preceding session.

The clerk proceeded to call the roll and 408 members answering to their names, a quorum was declared present.

On motion of Mr. Cheney of Concord,—

*Resolved*, That a committee of two be appointed by the clerk to wait upon His Excellency the Governor, and inform him that a quorum of the House is assembled and requests his attendance.

The clerk appointed Messrs. Cheney of Concord and Martin of Concord as such committee.

His Excellency the Governor, having been informed that a quorum of the House was assembled, appeared, attended by the Honorable Council, and the following named gentlemen, having presented their credentials, were duly qualified by His Excellency as members of the House of Representatives by taking and subscribing to the oaths of office agreeably to the provisions of the constitution.

## ROCKINGHAM COUNTY.

Atkinson . . . . .	Stephen M. Wheeler.
Auburn . . . . .	John P. Griffin.
Brentwood . . . . .	Ray Pike.
Candia . . . . .	George H. McDuffee.
Chester . . . . .	Walter P. Tenney.
Danville . . . . .	Charles H. Johnson.
Deerfield . . . . .	Wilbur H. White.
Derry . . . . .	George W. Benson.*
	Jesse G. MacMurphy.
	Alexander J. Senecal.
	John A. Taylor.
East Kingston . . . . .	Charles F. Knights.
Epping . . . . .	Louis P. Ladd.
Exeter . . . . .	Frank A. Batchelder.
	Charles Curtis Field.
	Harry Merrill.
	Howard E. Swain.
Greenland . . . . .	Eugene S. Daniell.
Hampstead . . . . .	Isaac Randall.
Hampton . . . . .	Warren H. Hobbs.
Hampton Falls . . . . .	Walter B. Farmer.
Kensington . . . . .	Horace P. Blodgett.
Kingston . . . . .	Levi S. Bartlett.
Londonderry . . . . .	Edward E. Kent.
New Castle . . . . .	Elmer S. Pridham.
Newfields . . . . .	Alfred Connor.
Newmarket . . . . .	Philip Labranche, Jr.
	Adelard Rousseau.
	John Wardman.
Newton . . . . .	Andrew G. Littlefield.
North Hampton . . . . .	Samuel A. Dow.
Northwood. . . . .	Joel W. Steward.
Plaistow . . . . .	Joseph S. Hills.
Portsmouth—	
Ward 1 . . . . .	Gertrude Caldwell.
	Harry L. Dowdell.
	Edward B. Weeks.

## Portsmouth—

Ward 2 . . . . .	Leon E. Scruton. Harold M. Smith. Stanley P. Trafton. George A. Wood.
Ward 3 . . . . .	William Casey. John F. Cronin.
Ward 4 . . . . .	George E. Cox.
Ward 5 . . . . .	Patrick E. Kane.
Raymond . . . . .	Emma L. Bartlett.
Rye . . . . .	Irving W. Rand.
Salem . . . . .	James S. Coles. Amos J. Cowan.
Sandown . . . . .	George Bassett.*
Seabrook . . . . .	Myron B. Felch.
Windham . . . . .	Charles A. Dow, Jr.

## STRAFFORD COUNTY.

Barrington . . . . . Irving M. Locke.

## Dover—

Ward 1 . . . . .	Charles A. Cloutman. Hubert K. Reynolds.
Ward 2 . . . . .	Patrick J. Durkin. William F. Howard. Felix E. O'Neill, Jr.
Ward 3 . . . . .	Frank F. Fernald. Thomas Webb.
Ward 4 . . . . .	Ferdinand Jenelle. Stephen W. Roberts. Charles T. Ryan.
Ward 5 . . . . .	Edward Durnin.
Durham . . . . .	Sherburne H. Fogg.
Farmington . . . . .	Ulysses S. Knox. Frank J. Smith.
Lee . . . . .	Fred P. Comings.
Middleton . . . . .	Samuel Abbott Lawrence.
Milton . . . . .	Frank D. Stevens.

## Rochester—

Ward 1 . . . . .	Thomas H. Gotts.
Ward 2 . . . . .	Claudis E. Edgerly.
Ward 3 . . . . .	Harry H. Meader.*
Ward 4 . . . . .	Adelard Gaspard Gelinas. Edmond J. Marcoux.
Ward 5 . . . . .	Louis H. McDuffee.
Ward 6 . . . . .	Guy E. Chesley. Charles W. Lowe.

Rollinsford . . . . . Henry B. Davis.

## Somersworth—

Ward 1 . . . . .	Honore Girard.
Ward 2 . . . . .	Louis P. Cote.
Ward 3 . . . . .	Peter M. Gagne.
Ward 4 . . . . .	Walter L. Hanagan. Fred A. Houle.
Ward 5 . . . . .	George Heon.

Strafford . . . . . Adrian B. Preston.

## BELKNAP COUNTY.

Alton . . . . .	Harry E. Jones.
Barnstead . . . . .	Frank J. Holmes.
Belmont . . . . .	Albert A. Smith.
Center Harbor . . . . .	Loui L. Sanborn.
Gilford . . . . .	Fred R. Weeks.
Gilmanton . . . . .	Ernest H. Goodwin.

## Laconia—

Ward 1 . . . . .	Walter E. Dunlap.
Ward 2 . . . . .	William D. Kempton. Fortunat E. Normandin.
Ward 3 . . . . .	Charles M. Avery.
Ward 4 . . . . .	Theo S. Jewett. John H. Merrill.
Ward 5 . . . . .	Truman S. French. John H. Laycock.*
Ward 6 . . . . .	Edwin A. Badger. Laurence B. Holt.

Meredith . . . . .	Charles N. Roberts.
New Hampton . . . . .	Adelbert M. Gordon.
Sanbornton . . . . .	Robert M. Wright.
Tilton . . . . .	Everett W. Sanborn.
	Osborn J. Smith.

## CARROLL COUNTY.

Bartlett . . . . .	Lucius Hamlin.
Brookfield . . . . .	Charles Willey.
Conway . . . . .	Arthur W. Chandler.
	William A. Currier.
	Clarence Ela.
Effingham . . . . .	Robert M. Fulton.
Freedom . . . . .	George I. Philbrick.*
Madison . . . . .	John F. Chick.
Moultonborough . . . . .	George A. Blanchard.
Ossipee . . . . .	Harry P. Smart.
Sandwich . . . . .	Charles B. Hoyt.
Tamworth . . . . .	Arthur S. Fall.
Tuftonboro . . . . .	Willie W. Thomas.
Wakefield . . . . .	Isaac L. Lord.
Wolfeboro . . . . .	Stephen W. Clow.
	Frank W. Hale.

## MERRIMACK COUNTY.

Allenstown . . . . .	George H. Desroche.
Andover . . . . .	Arthur H. Rollins.
Boscawen . . . . .	Cecil P. Grimes.
Bow . . . . .	George Albee.
Bradford . . . . .	Joseph W. Sanborn.
Canterbury . . . . .	William C. Tallman.
Concord—	
Ward 1 . . . . .	Fred M. Dodge.
	John H. Rolfe.
Ward 2 . . . . .	George O. Robinson.
Ward 3 . . . . .	George W. Phillips.
Ward 4 . . . . .	Harry M. Cheney.
	William P. Danforth.
	James O. Lyford.

## Concord—

Ward 5 . . . . .	Earl F. Newton. William W. Thayer.*
Ward 6 . . . . .	Harry R. Cressy. Hamilton A. Kendall. Nathaniel E. Martin. Charles G. Roby.
Ward 7 . . . . .	Bert J. Carleton. Peter J. King. John G. Winant.
Ward 8 . . . . .	William A. Lee.
Ward 9 . . . . .	William J. Ahern. James J. Gannon.
Danbury . . . . .	Noah E. Lund.
Epsom . . . . .	Blanchard H. Fowler.
Franklin—	
Ward 1 . . . . .	Herrick Aiken.
Ward 2 . . . . .	Edmund J. Garneau. Archie Mahan.
Ward 3 . . . . .	Edward J. Judkins. Joseph Newton.
Henniker . . . . .	Ralph H. Gilchrist.
Hill . . . . .	Joseph B. Murdock.
Hooksett . . . . .	Edgar Ray Chaney. Benjamin J. LaSalle.
Hopkinton . . . . .	Milton J. Walker.
Loudon . . . . .	Archie L. Hill.
Newbury . . . . .	James C. Farmer.
New London . . . . .	Joseph Cutting.
Northfield . . . . .	Charles S. Carter.
Pembroke . . . . .	John O. Bellerose. Llewellyn S. Martin.
Pittsfield . . . . .	Albert E. Cheney. David F. Jackson.
Salisbury . . . . .	George B. Sanborn.
Sutton . . . . .	Harrington C. Wells.
Warner . . . . .	Charles P. Johnson.
Webster . . . . .	Joseph Wheelwright.
Wilmot . . . . .	Arthur C. Seavey.

## HILLSBOROUGH COUNTY.

Amherst . . . . .	Robert J. Ford.
Antrim . . . . .	Wyman K. Flint.
Bedford . . . . .	Charles H. Clark.
Bennington . . . . .	James H. Balch.
Brookline . . . . .	George M. Rockwood.
Francestown . . . . .	Leon E. Hoyt.
Goffstown . . . . .	Charles L. Davis. Asa Spaulding.
Greenfield . . . . .	Frank E. Russell.
Greenville . . . . .	Louis O. Boisvert.
Hancock . . . . .	Ephriam Weston.
Hillsborough . . . . .	Charles F. Butler. John S. Childs.
Hollis . . . . .	Charles E. Hardy.
Hudson . . . . .	Karl E. Merrill. Edward A. Spaulding.
Lyndeborough . . . . .	Algernon W. Putnam.
Manchester—	
Ward 1 . . . . .	Harry B. Cilley. John P. Cronan. James E. Dodge.
Ward 2 . . . . .	Oscar F. Bartlett. Isaac N. Cox. Arthur W. DeMoulpied. Harry T. Lord. Effie E. Yantis.
Ward 3 . . . . .	Harold E. Hartford. Charles O. Johnson. Alfred Moquin. Denis A. Murphy. Harry E. Nyberg.
Ward 4 . . . . .	George D. Burns. Charles A. Grant. John F. Kelley. Maurice F. Fitzgerald.
Ward 5 . . . . .	Patrick J. Clancy. Martin Connor.

**Manchester—**

Ward 5 . . . . .	John Coyne. Patrick Creighton. Denis M. Fleming. John F. Kelley. Joseph P. Kenney. Frank P. Laughlin. Michael McNulty. Jeremiah J. Tobin.
Ward 6 . . . . .	Leonard E. Barry. Michael T. Burke. Charles S. Currier. Robert J. Murphy. George L. Sibley. Frederick M. Smith.
Ward 7 . . . . .	Thomas A. Carr. Francis A. Foye. Emile J. Godbout. Jeremiah B. Healey, Jr. John J. Quinn. Denis Sullivan.
Ward 8 . . . . .	Damis Bouchard. Joseph Chevette. Michael S. Donnelly. William Leonard. John McLaughlin, Jr. Charles H. Morin.
Ward 9 . . . . .	John W. Conboy. Valentine McBride. Joseph E. Riley, Jr. Thomas Rourke.
Ward 10 . . . . .	Oscar E. Getz. Sylvio LeClerc. Mortimer B. Ploss.
Ward 11 . . . . .	Henry R. Blais. Ora W. Craig. George W. Gowitzke.



Manchester—

Ward 11 . . . . .	Alex J. McDonnell. George E. Roukey.
Ward 12 . . . . .	Louis E. Gauthier. Wilfred A. Lamy. Alfred F. Maynard. Charles A. Pecor. Edward E. Rajotte. Arthur H. St. Germain.
Ward 13 . . . . .	Joseph A. Dionne. Adolphe Duval. Horace Gagnon. Pierre Gauthier. Joseph W. Remillard.
Merrimack . . . . .	Arthur G. Gordon.
Milford . . . . .	Samuel A. Lovejoy. Frank W. Ordway. Charles W. Robinson.

Nashua—

Ward 1 . . . . .	Gerald F. Cobleigh. Elbert Wheeler. Ovid F. Winslow.
Ward 2 . . . . .	Ivory C. Eaton. Thomas E. Pentland.
Ward 3 . . . . .	Joseph Boilard, Jr. Thomas E. Dube. William B. Trombly.
Ward 4 . . . . .	John L. Spillane. David F. Sullivan.
Ward 5 . . . . .	Edward Sullivan.
Ward 6 . . . . .	Henry M. Burns.
Ward 7 . . . . .	Raymond S. Cotton. Robert J. Doyle. John J. Lyons.
Ward 8 . . . . .	William H. Barry. James B. Hallisey. Charles B. Rigney. Romuald A. Sylvestre.

## Nashua—

Ward 9 . . . . .	Arthur Bilodeau. Alfred F. Girouard. Arthur Papachristos. Arthur A. Pelletier.*
New Boston . . . . .	Herbert M. Christie.
New Ipswich . . . . .	Robert B. Walker.
Pelham . . . . .	Asa A. Carleton.
Peterborough . . . . .	Robert P. Bass. Ezra M. Smith.
Temple . . . . .	Charles W. Tobey.
Weare . . . . .	Charles F. Eastman.
Wilton . . . . .	William E. Hickey.

## CHESHIRE COUNTY.

Alstead . . . . .	Frank Dewing.
Chesterfield . . . . .	Angelo M. Spring.
Dublin . . . . .	Archie R. Garfield.
Fitzwilliam . . . . .	Julius H. Firmin.
Gilsum . . . . .	Charles H. Blake.
Harrisville . . . . .	George F. Bemis.
Hinsdale . . . . .	Patrick L. O'Connor.*
Jaffrey . . . . .	George H. Duncan. Peter E. Hogan.

## Keene—

Ward 1 . . . . .	William J. Callahan. Harry D. Hopkins. Ora C. Mason.
Ward 2 . . . . .	Robert C. Jones. Austin H. Reed.
Ward 3 . . . . .	Leston M. Barrett. Cameron M. Empey.
Ward 4 . . . . .	Wilder F. Gates.
Ward 5 . . . . .	Lewis S. King. John J. Landers.
Marlborough . . . . .	John D. Tuttle.
Marlow . . . . .	Fred G. Huntley.
Rindge . . . . .	Oren F. Sawtelle.

Stoddard . . . . .	Edward T. Davis.
Surry . . . . .	Samuel Ball.
Swanzey . . . . .	Milan A. Dickinson.
Troy . . . . .	Charles L. McGinness.
Walpole . . . . .	William J. King.
	Arthur E. Wells.
Westmoreland . . . . .	Perry W. Burt.
Winchester . . . . .	Franklin P. Kellom.
	Edward F. Qualters.

## SULLIVAN COUNTY.

Acworth . . . . .	Almon E. Clark.
Charlestown . . . . .	Leon H. Barry.
Claremont . . . . .	Charles W. Barney.
	Hartley L. Brooks.
	Clarence B. Etsler.
	Adelbert M. Nichols.
	Alfred T. Pierce.
	Ray E. Tenney.
	Arthur S. Wolcott.
	Edward J. Rossiter.
Cornish . . . . .	Frederick J. Franklyn.
Croydon . . . . .	Herbert D. Barton.
Grantham . . . . .	Dellivan D. Thornton.
Lempster . . . . .	Thomas F. Bluitte.
Newport . . . . .	John H. Glynn.
	George E. Lewis.
	Ernest A. Robinson.
Plainfield . . . . .	Earle W. Colby.
Springfield . . . . .	William P. Gardner.
Sunapee . . . . .	Leo L. Osborne.
Unity . . . . .	Willard H. Walker.
Washington . . . . .	Elgin G. Farnsworth.

## GRAFTON COUNTY.

Ashland . . . . .	Willis F. Hardy.
Bath . . . . .	Timothy B. Southard.
Benton . . . . .	Lebina H. Parker.

Bethlehem . . . . .	Henry C. Barrett.*
Bristol . . . . .	Charles S. Collins.
Campton . . . . .	Willard C. Pulsifer.
Canaan . . . . .	Lynn S. Webster.
Dorchester . . . . .	Herbert H. Ashley.
Enfield . . . . .	Loring C. Hill.
Franconia . . . . .	William D. Rudd.
Grafton . . . . .	Herman G. Chellis.
Hanover . . . . .	Don S. Bridgman.
	Ransom S. Cross.
Haverhill . . . . .	Harold K. Davison.
	Olin A. Lang.
	Charles P. Page.
Holderness . . . . .	Joseph W. Pulsifer.
Landaff . . . . .	Raymond B. Stevens.
Lebanon . . . . .	Floyd E. Eastman.
	Leon M. Howard.
	Thomas J. McNamara.
	Charles B. Ross.
	Thomas P. Waterman.
Lincoln . . . . .	Alfred Stanley.
Lisbon . . . . .	Ernest H. Hallett.
	William E. Price.
Littleton . . . . .	George Houle.
	James C. MacLeod.
	Ora A. Mooney.
	Fred O. Nourse.
Lyman . . . . .	George O. Elms.
Lyme . . . . .	Sidney A. Converse.
Monroe . . . . .	Oscar A. Frazer.
Orford . . . . .	Willard R. Harris.
Piermont . . . . .	William B. Deal.
Plymouth . . . . .	Ezra C. Chase.
	Lyman R. Sherwood.
Rumney . . . . .	George D. Kidder.
Thornton . . . . .	George W. Fadden.
Warren . . . . .	Norris H. Cotton.
Woodstock . . . . .	Harry D. Sawyer.

## COOS COUNTY

## Berlin—

Ward 1 . . . . .	John A. Hayward. John E. Keleher. Achille H. Larue. Elden E. Pierce.
Ward 2 . . . . .	Walter L. Griffin. George O. Larochelle. Hugh Kelsea Moore. Moses E. Young.*
Ward 3 . . . . .	Joseph G. Blais. Homer H. Marks. John J. Smith.
Ward 4 . . . . .	George V. Hopkins. George E. Hutchins. John A. Labrie.
Carroll . . . . .	Leon G. Hunt.
Colebrook . . . . .	George B. Frizzell. Ellsworth D. Young.
Columbia . . . . .	Ernest U. Sims.
Errol . . . . .	Clinton S. Ferren.
Gorham . . . . .	Bartholomew F. McHugh. Alfred O. Mortenson.
Jefferson . . . . .	Frank B. Pottle.
Lancaster . . . . .	Bernard Jacobs. John B. McIntire.
Milan . . . . .	John B. Nay.
Northumberland . . . . .	William F. Rowden. Harry B. Smith.
Pittsburg . . . . .	Willie J. Nutting.
Randolph . . . . .	Laban M. Watson.
Stewartstown . . . . .	George L. Wood.
Stratford . . . . .	Ralph M. Hutchins.
Whitefield . . . . .	Joseph W. Brown. Elbridge W. Snow.

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\*Those marked with an asterisk were not present, but appeared and qualified later, as will be found in the daily proceedings of the House, with the exception of George W. Benson, of Derry deceased, and George Bassett of Sandown who never qualified.

The clerk then called the House to order and stated that the first business before the House was the election of a temporary presiding officer.

Mr. Lyford of Concord placed in nomination Mr. Martin of Concord and moved his election.

On a *viva voce* vote Mr. Martin was declared elected temporary presiding officer and was escorted to the chair by Mr. Lyford of Concord.

On motion of Mr. Lee of Concord the House proceeded to the election of a Speaker by ballot. The presiding officer appointed Messrs. Lee of Concord, Cheney of Concord and Blais of Manchester as a committee to receive, sort and count the votes.

Mr. Lee for the committee reported the following result of the ballot:

Whole number of votes cast . . . . .	406
Necessary to a choice . . . . .	204
William E. Price had . . . . .	186
William J. Ahern had . . . . .	220

and William J. Ahern having a majority of all the votes cast, was declared duly elected Speaker, and escorted to the Chair by Messrs. Price of Lisbon and Barry of Nashua.

The Speaker addressed the House as follows:

I thank you for the strong support you have given me. No Speaker who has preceded me can appreciate more than I do the great honor that has come to me. I shall always remember the kindly feeling which has been shown toward me not only by the party with which I have so long been affiliated, but from the opposite party.

This honorable position places upon me a burden in the sense of doing my best to serve the state and to satisfactorily carry out the important duties entrusted to me. Whatever I can do with fairness to all will be done.

By giving our best service to the state we can best show our appreciation of having been selected to represent our several communities.

The Chair awaits your pleasure.

On motion of Mr. Price of Lisbon it was voted to proceed to the election of a clerk by ballot.

Mr. Lee of Concord for the tellers reported the following result of the ballot:

Whole number of votes cast . . . . .	405
Necessary to a choice . . . . .	203
Bernard W. Carey had . . . . .	183
Randolph W. Branch had . . . . .	222

and Randolph W. Branch having a majority of all the votes cast was declared duly elected clerk.

On motion of Mr. Lyford of Concord,—

*Resolved*, That the following officers of this House are hereby elected by acclamation:

Assistant Clerk, Alvin A. Lucier, of Nashua,  
Sergeant-at-Arms, James W. Pridham, of New Castle,  
Doorkeepers; John H. Emerson of Colebrook, Richard J. Lee of Concord, Patrick H. O'Neill of Laconia, Arthur G. Dugas of Manchester.

Randolph W. Branch and Alvin A. Lucier then appeared and were duly qualified by taking the oath as clerk and assistant clerk, respectively.

HARRIE M. YOUNG,

*Clerk for 1921-1922.*

James W. Pridham was declared elected sergeant-at-arms, and John H. Emerson, Richard J. Lee, Patrick H. O'Neill and Arthur G. Dugas were declared elected doorkeepers for the ensuing two years.

The above named then appeared and qualified for their respective positions by taking the oath of office.

On motion of Mr. Lord of Manchester at 1.44 o'clock the House took a recess for 1 hour.

(After recess.)

On motion of Mr. Lord of Manchester,—

*Resolved*, That the Honorable Senate be informed that the House of Representatives has organized by the election

of William J. Ahern as Speaker, Randolph W. Branch as clerk, Alvin A. Lucier as assistant clerk, and James W. Pridham as sergeant-at-arms, and is now ready to proceed with the business of the session.

On motion of Mr. Kenney of Manchester,—

*Resolved*, That the rules of the last House be the rules for the present session until otherwise ordered by the House.

On motion of Mr. Blais of Manchester,—

*Resolved*, That a committee of ten members, one from each county, be appointed by the Chair to select some suitable person to act as chaplain during the present session of the legislature and report such selection to the House for its consideration.

On motion of Mr. Duncan of Jaffrey,—

*Resolved*, That the clerk be authorized to secure the services of two stenographers for the use of the Speaker and clerks and one for the use of the members and for committee hearings.

On motion of Mr. McHugh of Gorham,—

*Resolved*, That the Speaker of the House is hereby authorized to appoint the following employees of the House:

One custodian of mail and supplies, one warden of coat room, one assistant warden of coat room, one library messenger, one telephone messenger, five pages of the House and one page to the Speaker.

On motion of Mr. Lyford of Concord,—

*Resolved*, That unless otherwise ordered, the hours of assembling of the House be 11 o'clock in the forenoon and 2 o'clock in the afternoon until January 24.

On motion of Mr. Bass of Peterborough,—

*Resolved*, That permission be granted to the New Hampshire Civic Association to hold a meeting in Representatives Hall for the discussion of the proposed Legislation to reduce the working hours for women and children employed in factories. Said meeting to be held after the adjournment of the Session of the House on the afternoon and evening of Wednesday, January 10th, 1923.



On motion of Mr. Smith of Portsmouth,—

*Resolved*, That the drawing of seats be made a special order for tomorrow morning at 11.01 o'clock.

On motion of Mr. Lee of Concord,—

*Resolved*, That the Honorable Senate be informed that the House of Representatives will be ready to meet the Senate in joint convention for the purpose of canvassing the votes for governor and councilors, agreeably to the provisions of the constitution, at 3.10 o'clock this afternoon.

On motion of Mr. Lyford of Concord,—

*Resolved*, That the Committee on Judiciary be and hereby is authorized to employ the services of a stenographer and a messenger.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate had passed the following resolutions:

*Resolved*, That the House of Representatives be informed that the Senate, having assembled, has organized by the choice of Wesley Adams, as President, Bernard B. Chase, as clerk, Benjamin F. Greer, Jr., as assistant clerk, Frederick W. Moore, as sergeant-at-arms, Richard W. Walton, as messenger, Frank M. Ayer, as doorkeeper, and is now ready to proceed with the business of the session.

*Resolved*, That the House of Representatives be informed that the Honorable Senate will be ready to meet the House in joint convention for the purpose of canvassing the votes for the governor and councilors, agreeably to the provisions of the constitution, at 3.10 o'clock this afternoon.

#### IN CONVENTION.

The Honorable Senate then came in and the two branches being in convention,

On motion of Mr. Childs of Hillsborough,—

*Resolved*, That the Honorable Secretary of State be requested to lay before the convention the return of the votes for governor and councilors cast in the last election.

The Honorable Secretary of State then appeared and laid before the convention the return of the votes for governor and councilors cast in the last election.

On motion of Senator Orr of District No. 15,—

*Resolved*, That the votes for governor and councilors be referred to a committee consisting of one on the part of the senate and two on the part of the house, to examine, compare and count the same, and report thereon.

The chairman named as such committee, Senator Orr of District No. 15 and Messrs. Lee of Concord and Kenney of Manchester.

On motion of Senator Osgood of District No. 17,—

*Resolved*, That a committee of five be appointed by the Chair to wait upon His Excellency, Albert O. Brown, Governor, and inform him that a quorum of each branch of the legislature has assembled and completed its organization and is ready to receive any communication he may be pleased to make.

The chairman named as such committee, Senators Osgood of District No. 17 and Coulombe of District No. 1, and Messrs. Ladd of Epping, Duncan of Jaffrey, Lyford of Concord.

#### REPORTS OF COMMITTEES.

Senator Orr of District No. 15 for the joint committee to whom was referred the return of the votes cast for governor and councilors at the last biennial election, reported that they had examined, compared and counted the same, with the following result:

##### GOVERNOR.

Fred H. Brown had . . . . .	70,160
Windsor H. Goodnow had . . . . .	61,526

##### COUNCILORS.

##### *District No. 1.*

Oscar P. Cole had . . . . .	13,356
George A. Veazie had . . . . .	11,400

*District No. 2.*

Stephen A. Frost had.....	13,536
Oliver B. Marvin had.....	12,616

*District No. 3.*

Thomas J. Conway had.....	15,941
Adams L. Greer had.....	8,739

*District No. 4.*

Philip H. Faulkner had.....	11,914
Henri T. Ledoux had.....	10,616

*District No. 5.*

Arthur P. Morrill had.....	14,328
Enos K. Sawyer had.....	12,191

The report was accepted.

Senator Osgood of District No. 17 reported that the committee appointed to wait upon His Excellency, Albert O. Brown, Governor had attended to that duty and that His Excellency the Governor had a communication which he desired to make.

The Governor, attended by the Honorable Council, appeared and delivered the following address:

## GOVERNOR'S MESSAGE.

*Senators and Members of the House of Representatives:*

A practice of recent origin permits the retiring governor, on an occasion like this, to make a report of his achievements in office, if any, or such of them as he desires to emphasize. There is nothing to prevent the inclusion of failures, also, since they often prove to be achievements in disguise. The plain purpose is to inform and assist the incoming governor and the newly organized legislature. Some of my predecessors have ventured to enlarge this practice and to make recommendations to legislators with whom their official relations were limited to a single day. I shall take this liberty only as to matters connected, at least remotely, with my administration.

It was because of no effort or merit of mine that a very capable and harmonious council was provided for my assistance. With its members, who from being my official associates have become my personal friends, I desire to share whatever of credit belongs to my administration. Seated about the council table we have threshed out the matters presented for our consideration and like good jurors have agreed upon verdicts which seemed to be just. There have been 89 meetings of the governor and council in the last twenty-four months and not a single roll call has been necessary. At the end of the extended record of their proceedings, attested by the secretary of state, this entry of their last official act will be made: "On motion of the governor, seconded by each of the five councilors, it was unanimously voted that the records of all the preceding meetings be hereby approved and the acts and deeds recorded therein endorsed, ratified and confirmed."

The team work exemplified in the council chamber has been extended to every department of the state government and to every state institution. Coöperation has been the watchword, not loudly but earnestly spoken, with the result that both within the state house and without the service has been improved and while not yet by any means perfect, it is, nevertheless, believed to be excellent. Not only have I been in close touch with the principal departments but I have paid frequent visits to the several institutions and have often sat with the trustees of the latter, of which boards the governor is by law a member ex-officio. With the council I have made the usual official visitations. While it is impracticable to commend all these agencies of administration, as I would like to do, or to mention any except by inference or incident, it nevertheless remains to me to thank them all for two years of courteous treatment and two years of faithful effort.

It was said in the inaugural message to the last legislature that the most important question for its consideration was that of finance. This view was obviously accepted for, under the lead of a very competent appropriations commit-

tee in the house and a very capable finance committee in the senate, the budget estimates were greatly reduced, prior appropriations improved upon and the cost of government properly limited. The principles of private business, as far as possible, have controlled public expenditures. There has been an abundance of care but no cheese paring and nothing penurious or niggardly under the outgoing administration.

It would be fortunate if the calendar year and the fiscal year were identical. As it is, the gubernatorial term, according to fiscal reckoning, is composed of a half year, a whole year and another half year. No governor can strike more than one balance of his own. During the first quarter of his administration his accounts are involved with those of his predecessor and during the last quarter with those of his successor. It is only the middle period that is wholly his. Therefore it is the year which began on the first day of July, 1921, and ended on the 30th day of June, 1922, to which your attention is directed.

There were no deficits in that year. No department of the government, whether within the state house or outside of it, exceeded the amount provided for its use and the institutions also lived within their means. The state hospital, the state prison, the school for the feeble minded, the sanatorium and the industrial school, commonly called the state institutions, as well as the state college and the two normal schools, one and all, kept within their appropriations. All of the institutions and all of the departments, except the board of education which the law permitted to retain its balance for future use, severally returned something, and some of them much, to the public treasury for the year under discussion. The sum of the amounts so returned was \$120,794.91.

During the year the net debt of the state was reduced by \$1,368,634.14 to \$945,672.62. Another such year, and it is hoped the present will so prove to be, will wipe out the remaining indebtedness and provide a surplus as well.

But at the end of the year there were certain outstanding appropriation liabilities, payments to be made for work not

done and goods not purchased. If these amounts, some of which have not been and will not be wholly expended, are all included and the sum compared with the debt of the previous year, treated in the same way, it will be found that the reduction was \$1,124,621.26 and that the gross debt on the 30th of June stood at the modest total of \$2,185,425.02, as against \$3,310,046.28 the year before, everything included and the bulk of the state's expenditures provided for long in advance.

In 1919, the legislature voted to join with the United States and the State of Maine in the erection of a memorial bridge at Portsmouth. It authorized a bond issue of \$500,000.00 to defray its part of the cost. The bridge is practically completed. There has been paid upon it \$441,382.66, all from current revenue. The balance can be paid in the same way, from the cash in the treasury which stood on the last business day of last week and last year at the gratifying figure of \$2,058,597.28. Therefore none of the bonds will need to be issued. The State Treasurer says:

"Had we been obliged to issue the bonds when the money was first needed the rate of interest required to float the issue at par would have been 5% or more, and if this had been done it would have cost the state \$262,500 in interest before the final maturity of the bonds."

In 1921, the legislature voted to erect an infirmary building and certain small structures at Glenclyff, and authorized a bond issue of \$132,000.00 therefor. The work has been completed within the appropriation and paid for out of current income without recourse to the sale of bonds. The saving in interest is, of course, proportionate to that in the case of the bridge bonds.

In addition to the above a bakery has been built at the state hospital at a cost far within the appropriation of \$40,500.00 made therefor. A barn with silos has been erected at the industrial school for less than the \$32,000.00 provided for that purpose. The coal pocket at the prison has been enlarged at an expense of about \$6,000.00 greatly to the advantage of that institution.

Two stories have been added to the new Patriot Building and leased to the state for the use of certain important departments which, in the main, could not be well quartered elsewhere, thus not only providing excellent accommodations, but relieving the congestion in the state house, avoiding the necessity of its enlargement for many years to come and greatly improving the appearance of the state house yard.

The state, by authority of the governor and council and with the approval of the incoming governor, has also contracted for the erection of a much needed dormitory for the Plymouth Normal School, the work on which is now in progress. This building is to be, as the lot provided for it has been, paid for out of the fine savings made and to be made by the board of education. About \$90,000.00 will be invested in the land and buildings.

With the exception of undertakings by the highway department this enumeration comprises the construction program of the last two years. It was quite sufficient, in my judgment, for that biennial period. In its consideration due credit for the inception of the enterprise at Portsmouth and for the completion of the work at Plymouth, when it is completed, should be given to the last and to the next administration respectively.

Whence came the revenue, it may be asked, which has enabled the financial and business statements just read to be written? The answer is easy. It was saved by important economies and supplied by increased income secured in various ways. The deficiency tax of \$450,000.00 was received in the last fiscal year. The sinking fund was increased by \$344,896.00. The new and well enforced inheritance tax law, beginning fully to function, gave us \$302,210.34 more than the year before. The tax commission, the chief revenue producing agency of the state government, exceeded its own fine record by \$52,503.81, assessed against the railroads and other public service corporations. The efficient insurance department contributed \$38,031.67 additional, collected from foreign insurance

companies. There were other items yielding smaller amounts. And the lapses as before stated amounted to \$120,794.91. This is the whole story. Why not keep up the pace a year or two longer, since no increase in general taxation is involved, until the state shall have more treasury assets than liabilities, with its net debt entirely extinguished?

In the last two years 134 miles of trunk line and state aid highways have been constructed and 2000 miles have been maintained, even, for important distances, to the point of reconstruction. The system as a whole has been restored to its pre-war condition of excellence and that condition bettered. In particular it may be said that large numbers of wooden and inferior stone bridges and culverts have been replaced in permanent form with reinforced concrete.

An extensive and long needed improvement of the Daniel Webster highway in Concord and Pembroke has been made for the comfort and safety of the public travel and many other things have been accomplished or are in process.

The extent to which the highways have been preserved in view of the heavy cars which by day and the ponderous trucks which by night tax their capacity is worthy of remark. It is largely the result of the exercise in the spring of the year of the power conferred, by the last legislature, upon the commissioner of highways to close roads to any and all traffic in case of need. Even then the havoc wrought by such vehicles, both in the hard and the soft months, is appalling and the cost of restoration enormous. But this use has come to stay and the highways must be made sufficient to sustain it and its increase. This will cost a vast amount of money. Indeed to put our 1400 miles of trunk line highways into as good condition as the average between Concord and Manchester would require the expenditure of \$25,000,000.00 to say nothing of other roads or of upkeep. And yet in the long run this will be for the most part economical as well as necessary.

The highways should be maintained, improved and even in the last analysis paid for by the traffic they bear. Such is the policy toward which the state has recently been moving.



The only alternative is to increase general taxation which is already excessive. The last legislature raised the prices for all automobile permits and registrations, those for light cars slightly and those for heavy cars and trucks materially. The law has now been in force a full year, during which time it has increased the revenue of the state, all for highways, by the sum of \$369,906.52 over that derived from the same source in the preceding year. Of course the receipts from permits which go to the cities and towns for general purposes are not included here.

This exaction for the operation of automobiles has the advantage not only of returning a large yield but also of being more easily assessed and collected and more lightly borne than most impositions of government. It should not be disturbed so long as the needs of the highways remain as imperative as at present.

An excise or business tax for the privilege of selling gasoline has been suggested. A levy of a cent a gallon, according to the computation of the tax commission, would return about \$300,000.00. This added to the \$1,246,228.66 now collected by the motor vehicle department would not give the commissioner of highways the sum he needs for the work of the next season. It is clear, therefore, that such a tax should be enacted, if at all, not to furnish a substitute for the sum derived from registrations, or any part of it, but to provide an addition thereto. It would apply, of course, to foreign as well as domestic traffic. We should receive at least some return for the use of our highways by cars from abroad during the tourist season and by trucks from abroad the year around. Such trucks move the bulk of the freight carried upon our highways, especially in the southern counties, and there ought to be a more substantial method of assessing them than that involved in a slight tax upon the sale of a portion of the gasoline they consume. In general those who operate motor vehicles, domestic or foreign, can well afford to reimburse the state for its outlays in their behalf. Of all men they should not, like paupers, receive aid from general taxation.

In speaking of highways it may be well to add that a strange infirmity of the law permits huge advertisements of gasoline, tires, tobacco, soap and the like to be erected close to if not within the limits of the public roads, not only to their disfigurement but to the dangerous impediment of vision at curves and corners and the serious obstruction, at many points, of those views for which alone most people visit New Hampshire. This defect could easily be remedied.

An act which met with the instant approval of the people was the naming of the state's great central avenue of travel for her most distinguished son. It is believed that if the West Side road—the name has merely a geographical significance—extending from Hinsdale to Twin Mountain were to be called the Dartmouth College road the change would command unanimous support. For more than one hundred and fifty years the college has made to New Hampshire, as province and state, an annual contribution of useful men. It has enjoyed the equal protection of the laws but has received little else and now receives nothing else in return. It would be a graceful expression of the esteem in which we hold our foremost institution of learning if we were to decree that the great highway which passes by its doors should bear its name.

Since the defeat of the proposed income tax amendment to the constitution in November, 1920, and again in March, 1921, there has been a marked change in public sentiment. An income tax or a tax on incomes, especially those from intangibles, is now being advocated in many quarters in which it then found no support. People are casting about for a method by which such a tax can be quickly and satisfactorily brought into effect. Under the present constitution any one of three methods can be pursued.

1. The principle of the Spaulding bill, advanced in 1915, might be enacted into law by this legislature and the income from intangibles, and other sources if desired, taxed locally for local purposes at the ever varying local rates. But the return, though important in the cities, would probably be negligible in the towns and on the whole would afford inadequate relief.

2. I long ago suggested that a property tax be levied upon incomes by the state as a single taxing district. If such a tax were assessed the constitutional rule of proportion would require it to be assessed at the average rate of taxation throughout the state, just as the railroad taxes, for instance, are assessed. Such a tax would largely increase the state's revenue and while its return might not be sufficient to permit the direct tax to be discontinued altogether, it would enable it to be reduced materially. The public service taxes could remain as at present.

3. The direct state tax might be abolished and the state tax against the public service corporations, which tax, or an equivalent, it is necessary to retain if these companies are to be adequately assessed, might be imposed wholly, as it is now in part, for the benefit of the cities and towns and thus become in substance, if not in form, a local assessment. And if any of the other state taxes are really property taxes, of which there is doubt, they might be disposed of in a similar manner. All this would be to the distinct advantage of the municipalities. It would also leave the taxing district of the state free from property taxes and make way for the introduction of a tax on incomes which might be assessed at any required rate because that rate, being the only rate in the district, could not suffer from lack of proportion. Thus sufficient revenue for state purposes could easily be obtained. But if this method were adopted it must be recognized there would be legal questions which might be determined adversely to the tax proposed, however clear one might be in his own mind that they should be decided favorably to it.

Of these three propositions for a flat tax on incomes under the constitution as it stands I regard the second as easily the most feasible and the most promising.

It must be conceded by all, however, that a proper constitutional amendment would provide the most satisfactory way to income taxation. And it is proposed by certain members of this legislature to proceed for a constitutional convention as the first step toward such an amendment.

But in the ordinary course of events a period of four or five years must intervene before an income tax by this method can become operative. The relief, therefore, would be far from immediate. But why call a convention?

The fact has apparently been lost sight of that there is now in existence a convention to revise the constitution which has twice shown itself favorable to income taxation. This convention might be reconvened for a day and an amendment submitted to the people in March of the present year. And if this were then ratified, a tax could be enacted in season to be assessed for the year beginning April first, next. As the president of the convention, I should be inclined to reassemble it at the request of the legislature, but not otherwise.

There has been some misconception in regard to the poll tax. It has been said that from its abundant revenue the closing administration has been enriched and the state's debt largely reduced. The amount paid into the public treasury has been magnified in utter disregard of reason or mathematics. Therefore, a brief statement of the exact situation may not be out of place.

The regular poll tax for men and women is \$3.00. It is a strictly local tax, assessed and collected by the cities and towns and retained by them for their own use and benefit. Hence it has not, at any time during the last two years, or ever for that matter, been available for the liquidation of the state's obligations or the payment of its expenses.

In 1919 the legislature, in special session, voted an additional compensation in the sum of \$70.00 each to those residents of New Hampshire who served in the German war. To provide the necessary funds it was voted to borrow money on the credit of the state and issue bonds therefor, these bonds to be paid at maturity from the proceeds of a special poll tax of \$2.00 to be added to the regular poll tax except in case of those who served in the war.

It was estimated that five years of such special tax would yield enough to retire the bonds at maturity and so it was limited to that period. The cities and towns assess and

collect the total tax of \$5.00, deduct \$3.00 for themselves and pay \$2.00 into the public treasury according to law. The sum so paid is carefully invested by the state treasurer in a sinking fund to be held by him to meet the requirements of the principal and interest of the bonds when due.

Bonds to the amount of \$1,489,000.00 were issued and are outstanding, \$700,000.00 maturing December 1, 1923, and \$789,000.00 December 1, 1925. The special poll tax assessments for two years have reached the treasurer and those for another year will be paid to him during the present month. This leaves two more assessments to be paid.

When the last instalment has been paid it will have required \$1,828,030.00, principal and interest, to redeem the bonds and at the same time the special poll tax on the basis of receipts already in hand will have amounted to \$1,901,956.98, leaving an excess of \$73,926.98 only on hand. But this slight balance will, it is believed, be much more than offset by abatements resulting from unemployment in the larger cities of the state. Instead of a surplus, therefore, the treasurer estimates there will be a deficit to be made up after the receipts from the special poll taxes are all in. It is well, in this connection, to remember that the only beneficiaries of these brief and modest taxes are those brave men and women all of whom offered and many of whom gave their lives that we might be saved, among other things, from paying heavy tribute to a foreign power.

The sinking fund now stands at \$451,827.91, the result of one year of special poll tax payments by men alone and one by both men and women, less two years' interest on the bonds. It has not been used to pay debts or for any other purpose. On the contrary it is safely invested at 4% or better. It will be found among the assets of the state in the treasurer's report while the bonds appear among the liabilities.

If the special poll tax is abolished the state will need to obtain, by some other form of taxation, sufficient funds to pay at least the last instalment of the recognition bonds. If women alone are exempted from the special poll tax one-half of the instalment will have to be raised by some other

method. If all poll taxes are relinquished the state and the municipalities will have for all time nearly \$1,250,000.00 a year to make up from some other source. If women alone are excused from all poll taxes one-half of the latter sum will need to be otherwise obtained.

During all the years I have had to do with taxation I have been accustomed to speak my mind freely. I am sure you would not have me do less now. The poll tax, in my judgment, is the wisest, most salutary and not the least remunerative of taxes. It assigns to many who would otherwise pay nothing a small part of the public expense and brings to them a realization of the fact that they are of the government and not merely under it. And what is more important, it frequently causes some, and at times much, sacrifice, and it is generally the privileges for which we work and pay that we appreciate most.

By this token women should be subject to the poll tax as well as men. As an advocate of equal suffrage, when that question was pending, I had no thought that equal benefits would be accepted and equal burdens rejected. I cannot even now believe the women of New Hampshire are unwilling to contribute a small sum annually for the support of government and in particular to pay two dollars a year for two years more in recognition of the sacrifices, hardships and achievements of the soldiers and sailors of the world war.

Those who were informed will remember that \$3,200,000.-00 in the aggregate was raised by the last two state taxes. A special tax of \$450,000.00, however, was also imposed. This was to meet the requirements of a deficiency for the year ending June 30, 1921. But this deficiency does not belong to the retiring state government though made good by it. It was created by legislation enacted in 1919, wise and proper legislation no doubt, but legislation the affect of which could not later be controlled or avoided. Thus it will be seen that the tax record of the last two years is better even than it appears on its face.

In June, 1921, in response to a request by the Mayor of Franklin, directly communicated both orally and by writ-

ing, for troops to suppress and control violence in that city the Concord and Laconia companies of the state guard were ordered out. The guardsmen were mobilized at their armories where they remained for three days until, on account of improved conditions and at the suggestion of the mayor, they were relieved.

In July, 1922, in answer to a request by the Mayor of Concord conveyed in person and by writing the Adjutant-General was commanded to call out sufficient units of the national guard to restore and preserve order in that city. Troops from Portsmouth, Laconia, Keene, Nashua and Manchester successively performed guard duty there in an efficient manner. They served 14 weeks and were withdrawn at the instance of the mayor and because no longer needed.

In the early summer of this year I invited committees of the striking textile workers of the cities and towns where a strike was in progress, the mayors and selectmen of those cities and towns and representatives of the mills affected by the strikes, to meet me successively on the same day in conference at Concord. I urged the manufacturers to confer with the strikers' committees as then and there constituted. This they declined to do but severally expressed a willingness to meet their own former employees. I suggested to the strikers the possibility of a fifty-fifty compromise, that is, a fifty-one hour week and one-half of the proposed cut in wages. This brought no response. Various other propositions were discussed. When it appeared that no progress toward an adjustment could be made I suggested that the mill men open a unit apiece of their plants, then closed, and permit those who were needy and wanted employment to go to work. Somewhat later this was done.

On two occasions during the last summer applications were made to the governor and council to convene the legislature in extra session to limit the hours of labor, for which certain classes of people should be employed to do certain kinds of work, to 48 hours per week. There were also remonstrances largely signed by farmers, among them

many of the leaders of the grange and the farm bureaus. Hearings were had, the matter carefully considered and the requests denied.

The same question had been before the house of representatives at the regular session. A bill had been favorably reported from the committee on labor by a vote of 12 to 2. It had been thoroughly discussed in the house and then defeated there by the overwhelming vote of 211 to 129 on roll call. It was not shown that any member who had recorded his vote against the bill had changed his mind and was ready to support it, much less that enough could be won over to pass it. On the contrary there seemed to us to be no possibility of such a result. Of course we had no interest in providing an opportunity for propaganda, one way or the other, or in supplying a forum for dispute. Again the business of an extra session cannot be limited to one subject. Any number of questions may be considered and it was thought not improbable that the legislature once specially assembled would remain in session for a considerable time to the inconvenience and expense of the state. Moreover, a new legislature was soon to be chosen. Upon these grounds of conclusive validity, and not upon the question of hours, our decision was placed and publicly stated to rest.

From my position on this collateral issue an attitude against a 48 hour week was wrongly inferred. I am and long have been in favor of such a week provided it will permit the industries it affects to survive. On this question I am not convinced by the naked declarations of the parties, pro and con. My mind trained to some extent in the law school and the court room demands the proofs. These can be obtained and produced in ample season for action before adjournment. It would, therefore, seem unwise, upon the most important matter of this session, possibly of many sessions, to take what would be to a great majority of the legislators, a leap in the dark.

The glory of the last administration was its school law, but that enactment, like most new statutes, was not perfect.



Needed changes have been made, and the law, as amended, has been enforced with such moderation and judgment as almost entirely to overcome opposition and remove friction. It is our proud boast that every boy and girl in New Hampshire, of sufficient ability, may now, without undue hardship, acquire at least an elementary education. The law enacted in 1919, improved by amendment in 1921 and since thoroughly tested, together with the excellent board which has its execution in charge, is commended to those now assuming authority for careful and appreciative attention. By further amendment the services of two deputy commissioners of education may well be dispensed with in law as by careful management they have already been in fact.

The question of better teachers has been and still is acute. It has been found that the best for us are those educated at home, at Dartmouth and the state college for high schools and at Plymouth and Keene for elementary schools. They understand our problems and are satisfied with our terms. With the completion of the present undertaking at Plymouth and in due time with a reasonable expenditure at Keene we shall be able to supply our own needs. We should not assume the cost involved in the establishment of a new normal school which has frequently been suggested, for the main purpose, at least, of providing some city or town with a new public building and a new industry.

The New Hampshire College of Agriculture and the Mechanic Arts has done and is doing excellent work with a greatly enlarged enrollment. Its extension service, too often overlooked, is of special value. The practical arts of the state, including and emphasizing agriculture and housekeeping, should reflect in a rapidly increasing degree the instruction given at Durham.

Agriculture in this state, as elsewhere, has suffered greatly during the period of deflation following the war. The prices of farm products have declined relatively more than those of other commodities. The buying power of the dollar expended in the purchase of supplies and labor for

the farm is less, according to any fair standard, than that of the dollar expended in the purchase of produce from the farm. Nevertheless there is abundant reason to expect a return of prosperity for farming in New Hampshire in the not distant future. But this result lies mainly in the hands of the farmers themselves.

Coöperative marketing is shortening the distance and lessening the charges between producer and consumer. Consequently, to an increasing extent, the farmer is beginning to receive more for his products and the consumer to pay less for them than heretofore. The saving is divided between the two. Aside from coöperation, also, the higher cost of transportation by rail for distant products and the lower cost by truck for local products is helping the New Hampshire farmer to meet competition and make a profit in nearby markets, even upon some of those staples of the soil that can be more cheaply produced elsewhere than at home. It is beginning to be realized, thanks largely to the efforts of the state through college and department, that these things, together with the adequate and conservative financing of farming operations now in prospect, mean not only a more productive and thrifty agriculture but more, better and cheaper food for those employed in the mechanical trades. Obviously this will aid all manufactures and in particular will help as much as any other influence to delay if not prevent the possible removal, to more favorable states, of the great cotton industry which contributes so largely to the prosperity of our people.

Our forest fire protection service is as efficient as it is interesting. The spring and summer of 1921 was the driest period in many years, especially in the northern counties and April and May of 1922 were exceedingly dry in the southern sections of the state. Nevertheless the burned area for the whole two years was only about 17/100 of 1% of all our forest land. The expense to the state of the entire service with its twenty-four mountain lookout stations and all its other agencies was only about 87/100 of a cent an acre per year. This low cost is rendered possible only by the

active coöperation of the towns, the Timber Land Owners Association and the federal government. In economy and efficiency in this regard New Hampshire stands very high among the states of the union.

Years ago the state, with great improvidence, divested itself by approximate gift of all its wild lands. In the process of time they have been mostly denuded, largely burned over and to no slight extent ruined. Private ownership has failed, both in the preservation and the restoration of valuable growth. Public ownership has intervened. While public ownership in general is believed to be against sound policy, it may be justified in this case on the ground of necessity. Since 1911 the United States has acquired and approved for purchase within the White Mountain National Forest 450,000 acres, mostly sprout land at the head waters of the rivers and on the tops and slopes of the mountains. The state, by expending less than \$5,000.00 a year and by accepting numerous gifts, has supplemented the federal ownership with one of its own. It has acquired upwards of 18,000 acres in 42 towns, nearly one-third of it in the last two years. This policy is calculated to equalize the flow of the streams, preserve important areas from fire and erosion and add to the state's supply of valuable timber.

In other ways the state is aiding the reclamation of the 1,750,000 acres of idle land suitable for forest purposes. It conducts a nursery for pine and spruce trees from which it has taken, during this gubernatorial term, 520,000 seedlings, half for public and half for private use. The number transplanted is limited only by the supply.

During a period of drought in the spring of last year there were requests that the governor proclaim a closed season for fishing as a precaution against forest fires, but an examination of the statute revealed the fact that it applied to hunting merely and the applications were necessarily denied. During another period of drought in the fall of the same year the state forester and the fish and game commissioner advised the closing of the season to hunting. A proclamation was prepared but fortunately rain came over night and

obviated the necessity of its publication. The law, as it now stands, recognizes no cause of fires in the woods except the discharge of firearms. I am informed, however, that such fires seldom catch from gun wads but are generally lighted from camp fires or discarded but burning cigar or cigarette stubs. It is said that the fishing season is equally as disastrous as the hunting season. I recommend that the law be amended to include both seasons and that the governor be empowered, in proper cases, to proscribe fishing as well as hunting, in the otherwise open season, not necessarily throughout the entire state but in the county or counties where the prevalence of dry weather renders such action appropriate.

The state guard organized to meet any emergency that might arise at home during the war with Germany has been disbanded and its officers and men honorably discharged, whereupon the state military board automatically ceased to exist. The people are under great obligation to the self-sacrificing and patriotic men, largely past the military age, who composed both the guard and the board. Under the provisions of the national defense act a new national guard has been recruited, in the last year and a half, which now numbers 66 officers and 1089 men, or 85% of the state's allotment, and, in the opinion of the federal authorities, constitutes as fine a body of troops as any state can supply.

Several of the departments of the state government, notably the forestry, fish and game, motor vehicle and weights and measures departments, have a number of men on their staffs whose employment takes them into all parts of the state. They are special law enforcement officers. A fish and game warden, for instance, has all the authority the law can confer to arrest, hold and prosecute a man found killing a deer in the closed season but he would have only the right of a private individual with reference to one caught in the act of murder or in the commission of any other offense not involving a breach of the laws relative to fishing and hunting. With the weakness of this situation in mind and to afford the country districts some degree of protection

against the thugs and thieves who infest them, a prominent member of the last senate introduced a bill authorizing the governor with the advice of the council to commission any of the special law enforcement officers as general law enforcement officers. Thus there might have been created out of the men already in the service of the state, and hence at little or no cost, a small but reliable force ready for immediate action in cases of real need and under the direction of some responsible head. In that event it is needless to say that life and property in the towns, now too largely at the mercy of the lawless and vicious, would have been much better protected. The bill was passed by the senate but was defeated in the house where it was not accorded the courtesy of a reference.

A bill providing for an independent highway patrol was introduced in the last house by a prominent member of that body, referred, reported adversely and killed. Thus the towns were left as bare of protection as before and depredations from murder down have continued and increased. The rural sections deserve better treatment at the hands of a government of which they are a very vital part.

In this connection it may be appropriate to remark that the purchase and sale of firearms in New Hampshire seems to be free from statutory regulation. Chapter 185 of the Laws of 1921 repeals all the provisions then existing. In the nature of things this should not have been intended. That the act was drawn carelessly or in haste may easily be found upon evidence contained therein. However that may be, it must be true that when the purchase, sale and possession of firearms and other dangerous weapons are properly regulated police protection will be an easier and safer task than at present.

There is no printed digest of the decisions of the Supreme Court rendered since 1888. Ten years ago one was authorized and nearly ever since it has been in process of preparation. It is now being printed. So far all the work has been done in this state. It is hoped that when completed it will be entirely a New Hampshire product and will be in every

respect of the same excellent character that now seems probable. There has been no revision of the statute law of the state since 1891.

To save in the cost of printing, which is now enormous, the reports of the departments and institutions have been cut almost to the bones. Some of them, however, can be abridged still further and some perhaps omitted altogether. It is manifestly unnecessary to publish observations of remote interest or unimportant tables, but it has been considered that much information gathered and tabulated with great care is worthy of being preserved in print. Probably no agencies can so well separate the wheat from the chaff as the departments and institutions themselves if they but bear in mind that their importance is not affected by the size of their reports. Curiously enough the executive department, at the head of the state government, publishes no report of its doings except as to the few things which it is possible to embody in a brief and desultory paper like this message.

The prohibitory law continues to be well enforced. Any enforcement that keeps the saloons closed is good but the present goes far beyond that. The high price and poor quality of such liquor as is obtainable is proof of scarcity. It is law enforcement that creates scarcity. Prohibition has become more than ever the policy of the state.

As this paper approached completion it was seen that many more subjects had been omitted from than included within its purview. The excellent sanitation and health work done for the state, the activities of half a score of unpaid commissions and committees appointed by me, some with and some without legislative authority and the doings of various others, individuals and bodies, in the public service deserve separate and appreciative acknowledgment. But time and space forbid.

A word personal! For twelve years I have been in the continuous service of the state. Tomorrow that service will cease. And when I have relinquished the public duties that so long have engaged my attention and to which I

have given the best I had to give, when I have retired from the state house and separated forever from old and esteemed associates in the public business, I may be pardoned, I trust, if, though far removed from Gibbon in the nature and quality of my work, and entitled to no distinction, I am yet somewhat depressed by a thought akin to his, when upon a balmy June night many years ago, in his garden at Lausanne, he had completed *The History of the Decline and Fall of the Roman Empire*, a task of twenty years, and laid down his pen. He said: "I will not dissemble the first emotions of joy on the recovery of my freedom, and perhaps the establishment of my fame. But my pride was soon humbled and a sober melancholy was spread over my mind by the idea that I had taken an everlasting leave of an old and agreeable companion; and that, whatever might be the future fate of my history, the life of the historian must be short and precarious."

## RESOLUTIONS.

On motion of Mr. Burke of Manchester,—

*Resolved*, That the Senate and House of Representatives in convention assembled this third day of January, 1923, has listened with gratification to the farewell message of Governor Albert O. Brown, and hereby express to him the high esteem in which we hold him and his conduct of his office.

On motion of Senator Branch of District No. 16,—

*Resolved*, That a committee of five be appointed by the Chair to wait upon the Honorable Fred H. Brown and inform him officially of his election as Governor of the State of New Hampshire, and that the Senate and House of Representatives are ready to receive any communication from His Excellency at such time as he may desire.

The chairman named as such committee, Senators Branch of District No. 16 and Brown of District No. 5 and Messrs. Barry of Nashua, Rolfe of Concord and Hutchins of Stratford.

On motion of Mr. Wright of Sanbornton,—

*Resolved*, That a committee of three be appointed by the Chair to wait upon Oscar P. Cole, Stephen A. Frost, Thomas J. Conway, Philip H. Faulkner and Arthur P. Morrill and inform them officially of their election to the honorable Council.

The chairman named as such committee Mr. Wright of Sanbornton, Senator Tripp of District No. 14 and Mr. Newton of Concord.

On motion of Senator Rice of District No. 10 the convention rose.

## HOUSE.

### RESOLUTIONS.

On motion of Mr. Smith of Manchester,—

*Resolved*, That the sergeant-at-arms of the House be instructed to procure and furnish to each member of the House and officers thereof, during the session, two daily newspapers, published in the state, each member and officer to chose the papers he desires to have, and indicate the same to the sergeant-at-arms forthwith.

On motion of Mr. Murdock of Hill,—

*Resolved*, That the clerk of the House be instructed to procure as soon as possible, 2,000 copies of the Legislative manual, in substantially the same form as in 1921, for the use of the House and Senate and the Executive Department.

On motion of Mr. Lyford of Concord,—

*Resolved*, That the committee on rules, with such members as the Senate may join, be a committee on joint rules of the Senate and House of Representatives.

On motion of Mr. Cheney of Concord,—

*Resolved*, By the House of Representatives, the Senate concurring, that a committee of three on the part of the House and two on the part of the Senate, be appointed to make the necessary assignment of rooms for the presiding officers and committees of the House and Senate, and to report said assignments to the House and Senate as early as possible.



The Speaker appointed as such committee Messrs. Cheney of Concord, Lord of Manchester, Martin of Concord.

On motion of Mr. Bridgman of Hanover the clerk was instructed to procure the usual number of printed copies of the final message of His Excellency, the Governor.

On motion of Mr. Snow of Whitefield at 4.45 o'clock the House adjourned.

#### AFTERNOON.

The House was immediately called to order in Afternoon Session and on motion of Mr. Sibley of Manchester at 4.46 o'clock the House adjourned.

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#### THURSDAY, JANUARY 4, 1923.

The House met at 11 o'clock.

Prayer was offered by the Rev. Mr. Huse of Concord.

The Speaker announced with great regret the death of Mr. George W. Benson of Derry.

On motion of Mr. Sibley of Manchester it was voted that a committee of three be appointed by the Chair to bring in resolutions on the death of Mr. Benson.

On motion of Mr. Lyford of Concord, it was voted that when the House finally adjourns today from the morning session it be out of respect for the memory of Mr. Benson.

#### COMMITTEE APPOINTMENT.

The following committee on selection of a chaplain was announced, pursuant to a previous resolution:

Hillsborough County,—Henry R. Blais, Manchester.

Rockingham County,—Louis P. Ladd, Epping.

Strafford County,—Thomas Webb, Dover.

Belknap County,—Theo. S. Jewett, Laconia.

Carroll County,—Arthur W. Chandler, Conway.

Merrimack County,—Fred M. Dodge, Concord.

Cheshire County,—William J. Callahan, Keene.

Sullivan County,—Leon H. Barry, Charlestown.

Grafton County,—William E. Price, Lisbon.

Coos County,—Bartholomew F. McHugh, Gorham.

The Speaker announced the following appointments pursuant to a previous resolution:

Custodian of Mail and Supplies,—Charles H. McDuffee, Alton.

Warden of Coat Room,—Bartholomew J. Hargreaves, Nashua.

Asst. Warden,—Jeremiah J. Healey, Manchester.

Telephone messenger,—James A. Kearns, Dover.

Library messenger,—Seldon P. Tuttle, Harrisville.

#### SPECIAL ORDER.

Mr. Sibley of Manchester, called for the special order, it being the drawing of seats.

On motion of Mr. Smith of Manchester it was

*Resolved*, That Nathaniel E. Martin, James O. Lyford, Raymond B. Stevens, William H. Barry, William E. Price, William A. Lee, Harry T. Lord, Robert P. Bass, former Governor of the State, Harry M. Cheney, and Charles W. Tobey, ex-speakers of the House, be given their choice of seats before the drawing begins.

On motion of Mr. Duncan of Jaffrey it was

*Resolved*, That the following members be allowed to choose seats in advance of the drawing:

Ezra M. Smith,—Peterborough.

Thomas P. Waterman,—Lebanon.

George H. McDuffee,—Candia.

Charles A. Grant,—Manchester.

George F. Bemis,—Harrisville.

Lewis F. King,—Keene.

Robert C. Jones,—Keene.

William J. Callahan,—Keene.

George W. Roukey,—Manchester.

Achille H. Larue,—Berlin.

Harry B. Cilley,—Manchester.

Joseph B. Murdock,—Hill.

Gertrude Caldwell,—Portsmouth

Emma L. Bartlett,—Raymond.

Effie E. Yantis,—Manchester.

Robert M. Wright,—Sanbornton.

Levi S. Bartlett,—Kingston.

John J. Landers,—Keene.

and any members of the Grand Army of the Republic who are members.

On motion of Mr. Martin of Concord,—

*Resolved*, That when the House adjourns this morning, it be to meet tomorrow morning at 9.30 o'clock, and when the House adjourns tomorrow morning, it adjourn to meet on Monday evening at 7.30 o'clock.

After the selection of seats pursuant to the resolutions of Messrs. Smith and Duncan, the general drawing proceeded, the clerk, under instruction from the Speaker, drawing seats for the absent members.

The drawing by the members from Rockingham and Strafford counties was completed.

On motion of Mr. Smith of Peterborough it was voted that the drawing of the remaining seats be made a Special Order for Tuesday next, at 11.01 o'clock.

On motion of Mr. Martin of Concord,—

*Resolved*, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in Joint Convention at 12.30 o'clock for the purpose of receiving His Excellency, the Governor, and any communication he may be pleased to make, and for the transaction of such other business as may properly come before such convention.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate had passed the following resolution:

*Resolved*, That the Senate will be ready to meet the House of Representatives in joint convention as suggested by the House Message, at 12.30 o'clock, for the purpose of receiving His Excellency, the Governor, and any communication he may be pleased to make, and for the transaction of such other business as may properly come before such convention.

The message further announced that the Senate had voted

to concur with the House of Representatives in the passage of the following concurrent resolutions:

*Resolved*, by the House of Representatives, the Senate concurring, that a committee of three on the part of the House, and two on the part of the Senate, be appointed to make the necessary assignment of rooms for the presiding officers of the committees of the House and Senate, and to report such assignments to the House and Senate as early as possible and the President has appointed his members of such committees, Senators Abbott and Ham.

*Resolved*, That the committee on rules, with such members as the Senate may join, be a committee on joint rules of the Senate and House of Representatives.

The message also announced that the Senate had passed the following resolution:

*Resolved*, by the Senate, the House of Representatives concurring, that the joint rules of the last legislature be the joint rules of this legislature until otherwise ordered.

On motion of Mr. Childs of Hillsborough the House concurred with the resolutions sent down from the Honorable Senate.

## IN CONVENTION.

### REPORTS OF COMMITTEES.

The Honorable Senate then came in, and the two branches being in convention, Senator Branch of District No. 16, for the committee appointed to wait upon the Honorable Fred H. Brown and inform him officially of his election as Governor of the State of New Hampshire, reported that it had attended to its duty; that the Governor-elect had accepted said office, and would meet the Senate and House of Representatives in convention at the earliest convenient time to take the oath of office and make such communication as he deemed proper.

The report was accepted.

Mr. Wright of Sanbornton for the committee appointed to notify Oscar P. Cole, Stephen A. Frost, Thomas J. Conway, Philip H. Faulkner and Arthur P. Morrill of their

election as members of the Honorable Council, reported that it had attended to its duty, and that the gentlemen named accepted the office to which they had been elected.

The report was accepted.

#### RESOLUTION.

On motion of Senator Tripp of District No. 14,—

*Resolved*, That the Chair appoint a committee of three, consisting of one Senator and two representatives, to escort the Governor and Governor-elect to the House of Representatives.

The chairman appointed as such committee, Senator Tripp of District No. 14, and Messrs. Clancy of Manchester and Lee of Concord.

The Governor and Governor-elect attended by the Honorable Council and Council-elect then came in, and the Honorable Fred H. Brown, Governor, then took and subscribed to the oath of office and the oath of allegiance before the President of the Senate and in the presence of both branches of the legislature, whereupon the Hon. Wesley Adams, President of the Senate, made proclamation as follows:

Fred H. Brown, having been duly elected Governor of New Hampshire, accepted the office and taken the oath prescribed by the Constitution, I do therefore declare and proclaim His Excellency, Fred H. Brown, Governor of the State of New Hampshire, to hold the office during the period prescribed by the Constitution and Laws of the State, and I present Your Excellency with a copy of the Constitution of the State as a guide in the discharge of your official duties.

His Excellency then read the following message:

#### *Senators and Members of the House of Representatives:*

With a keen appreciation of the great responsibility which devolves upon me, I take up the reins of government of the State, and upon this occasion, when mention is to be made of some matters of moment which are to come before us for consideration, as I consider the interests entrusted to me,

and how much may depend on what I say to you, I am almost overwhelmed at the importance of many of the matters for which I am to some extent, at least, accountable.

This Legislature and this Administration will probably do no more wonderful things than our predecessors, but the stakes which the parties interested have in some of the questions which will be taken up during this session, are deep and of vital concern. Let me impress it upon you as firmly as I am able, that you also have a high duty to perform. Not always does such a duty fall to the lot of a legislative assembly. You may all live for many years and be honored with positions of trust by your fellow men, as you already have been, but I doubt very much if, in the future, many of you will meet greater responsibility than is yours at this time.

It now becomes my duty to speak to you concerning some of the matters of import which will come before us, and though I have often thought that members of the legislature and the public as well, have looked upon this feature of administrative procedure as an infliction which must be endured rather than sanctioned, I respectfully request that you refrain from drifting into such a frame of mind. Please do not feel that this is an idle ceremony, but rather that it is a solemn institution of the law which should demand your undivided attention.

In August, 1914, there began in Europe a war which, as time went on, attained such proportions that the welfare of the whole world was threatened. In consequence, the United States became a participant early in April, 1917, and remained actively engaged until the close of the great struggle in November, 1918, in so far as actual warfare was concerned.

Among other disagreeable things which were left with the American people generally as an aftermath of the World War were high taxes, and the State of New Hampshire has been and is now no exception to the rule in this country. In my opinion, the people expect this Legislature and this Administration to do everything possible to lighten the tax

burden in the State. Along this line I respectfully request that each member see to it that he does all in his power to help make this session a short one. There are perhaps numerous reasons why the session should not be prolonged, but none more necessary to be considered than the increased expense which will accrue if we remain here for an extended time.

In the past, many members have felt that their constituencies might gain the impression that they were not being properly looked out for by their representative if he did not introduce a bill in the Legislature of some sort, often regardless of whether the bill carried any real merit or not. Kindly allow me to assure you that the person who presents a bill without merit, loses standing and is a credit neither to the town or ward he represents nor to the State. So let us scan all bills carefully, making sure that they are worthy before being handed in to this body for consideration.

The wonderful progress which marks the last hundred years in the world has been brought about by a great dissemination of knowledge and by remedies which have been contrived to perfect and protect the recognized rights and liberties of the individual against the encroachments and usurpations of arbitrary power.

Generally speaking, we have too many laws. The ideal age, I presume, will be that in which men and women are governed least, and though I am not anticipating that we shall approach any ideal condition, I do feel strongly that the practice of presenting bills of little or no real value, simply to be able to demonstrate to the people at home that one did something while in the Legislature, or for some other similar reason, should be discouraged as unwise, expensive and unworthy of any member of this House, or Senate.

It has long been recognized that the system of taxation in New Hampshire is unjust. Great increase in recent years in public expenditures has made the inequalities of that system more obvious and more keenly felt by the tax payers. Even if the state expenditures could be reduced, there is still

immediate and urgent demand for a more equitable distribution of the tax burden. Justice to the individual tax payer and the welfare of the state require that this legislature should do everything that can be done to remedy the situation. The chief inequality in our system of taxation is due to the fact that practically the whole burden is placed upon real estate and a few classes of tangible physical property such as livestock and stock in trade, whereas wealth represented by investments such as stocks, bonds, and notes contribute practically nothing in the form of taxes. Our system of taxation in its main outlines has remained practically unchanged for more than one hundred years. When adopted it was a reasonable and adequate system of taxation since it taxed the only forms of property which then existed in appreciable amounts. The result is particularly unjust to small home owners, farmers, and to farming as an industry. Moreover the farmer's property being held in small units which frequently change hands and have a known market value, has always been and probably always will be more highly assessed than other classes of property more difficult of assessment. Apparently the only substantial relief possible is to secure new sources of revenue which must be used to reduce the undue burden now being put upon real estate and physical property rather than as an opportunity for further expenditures.

The present method of taxing securities such as bonds, notes and money at interest has proved a complete failure. It produces comparatively little revenue and is unjust in operation. Capital stock under a decision of the Supreme Court is not taxable in New Hampshire. Bonds and money on hand or at interest are subject to the general property tax assessed at full face value and taxed the full local rate. This method takes such a large part of the income from such securities that it has resulted in wholesale evasion of the law in spite of drastic penalties. Clearly we must look for other methods of dealing with this class of wealth in order to secure from it a reasonable contribution to the public expense. The same problem has arisen in most of the other



states of the Union. Two other methods have been tried with some measure of success. In Pennsylvania, Maryland, Rhode Island, Connecticut, Minnesota, Iowa, Nebraska, and Washington securities such as stocks, bonds and notes are made a special class of property and taxed at a low flat rate. The result has been a substantial increase in revenue, less inequality between the different owners of such securities and less fraud, perjury and evasion.

The other method which on the whole has been more successful is to tax the income from such property. Massachusetts, Delaware, Missouri, New York, Mississippi, Oklahoma, Wisconsin, New Mexico, North Dakota and Virginia have adopted this method. This method has proved much more productive and just than the general property tax such as we have in New Hampshire. Unfortunately, in New Hampshire the constitutional restrictions prevent the adoption of either of these methods here. The Supreme Court has specifically held that securities cannot be classified and taxed at a low flat rate, and while there is no precise decision of the Supreme Court it has generally been assumed that any form of income tax in New Hampshire is contrary to the constitution.

There are, however, certain increases in state revenue which may be made by the legislature. Practically all the states now have inheritance taxes. In New Hampshire we have had an ungraded collateral inheritance tax for many years, and since 1919 a graded direct inheritance tax. The exemptions in New Hampshire are high and the rates are low. A grading of the collateral inheritance tax and a substantial increase in the rates of the direct inheritance tax would bring a considerable increase in revenue from these sources without hardship and without placing the law in our State out of line with other eastern states, and I recommend such amendment to the present law.

The cost of the construction and maintenance of highways has advanced tremendously in recent years on account of the greatly increased use of automobiles and trucks. While the State receives practically a million dollars from the

taxes and licenses charged upon automobiles and trucks, this is considerably less than the cost of building and maintaining our roads, and moreover the burden is distributed among owners of automobiles without regard to the use made of the highways. Furthermore, a very negligible amount is secured from out of state cars which use our highways in the summer season in great numbers and to some extent during the most of the year. I recommend the passage of a law taxing gasoline one cent a gallon, and at the same time a moderate reduction in the license fees for medium and light weight cars. A gasoline tax has been imposed now in many states of the Union. Such tax is productive of considerable revenue, as well as being easy and inexpensive to collect. It would more fairly distribute the burden of our automobile owners and would secure much larger contributions from out of state cars. The present method of distributing the railroad tax should be revised. Under the present law, one-quarter of the railroad tax is distributed to cities and towns where railroad property is located, the remaining three-quarters is distributed to towns and cities in which stockholders reside in proportion to the amount of stock locally owned. The balance representing out of state ownership and stock held by institutions is retained by the state. Since railroad stock under our law is not taxed or taxable, there is neither logic nor justice in distributing part of the proceeds of the railroad tax according to the residence of stockholders. Such a distribution benefits a few communities which are fortunate enough to have among their citizens owners of railroad securities, and is unfair to the other communities of the state whose burden of the direct state tax is increased by that amount. I recommend an amendment to the present law which will provide that the state keep for state purposes that part of the railroad tax which now is distributed according to stock ownership.

If these three acts are passed, there will be some increase in the state revenues, although not sufficient to afford any appreciable relief to the owners of real estate and other

property now overtaxed. Moreover, there is even some constitutional question about two of these recommendations. While the constitution gives the legislature the power to levy inheritance taxes, it is claimed by some that a graded tax is unconstitutional, and I understand a test case is already being raised. Likewise in view of some of the older decisions of the court, there may be a question as to the constitutionality of the tax on gasoline.

Since no substantial change in our present method of taxation is possible without an amendment to the constitution and since even minor changes such as I have recommended are open to some doubt, the most important question in connection with just taxation in New Hampshire is to secure the removal of those restrictions in our constitution which prevent the levying of reasonable and just taxes. This legislature should do all in its power to secure this result as quickly as possible.

Almost everyone is agreed that something must be done to relieve the tax situation, and the great majority of those who know, or pretend to know, anything about the subject can think of plenty of reasons why the other fellow should be further taxed, but of no reason in particular why any more tax should be assessed against them. Almost everyone has an idea that he is abused with regard to taxes. I have recently noted certain corporations protesting with relation to their taxes; farmers feel that they are unjustly taxed, which is probably true; as to small householders—I want to give a concrete case that has come to my attention—a man living in this state and owning a small home pays taxes on a valuation of \$2,300 for his house and land, which at the local rate, with his poll tax, makes the amount due from him to the community in which he lives \$56.75. Next door to the home mentioned lives a man who has property which, in value, exceeds the first named more than 10 times. This property consists mostly of stock, bonds, and the like. The latter gentleman's tax and contribution to the community in which he lives was \$5.78—including his poll tax.

It must be apparent to all that such a method of taxation is faulty.

At times I am inclined to believe that the real trouble with taxation in the State lies not so much with the system as with the people. Many of our property owners and many times our supposedly best citizens, put in considerable time ducking, dodging and evading their taxes, and this fact is generally known to be true, although little is said about it. We hear much about a Constitutional Convention and what our courts may do, but in my opinion we shall never get much relief from our tax troubles until many of our citizens show a different disposition with relation to paying taxes on property they own, and if that time ever comes it will not require many conventions, legislatures or laws to collect sufficient taxes to amply care for our departments and institutions.

At a special session of the Legislature held in September, 1919, Chapter 55 of the Public statutes and amendments thereto was amended by inserting a section which assessed a poll tax of three dollars on every inhabitant of the State between twenty-one and seventy years of age, with certain exceptions. This act took effect when the right of suffrage was granted to women and officially proclaimed. At the same session there was passed an appropriation for soldiers serving in the War against Germany and a further assessment of two dollars was levied upon all taxable polls, continuing for the term of five consecutive years, so that generally speaking men and women of taxable age have been paying a poll tax of five dollars since April 1, 1920.

On the whole, the poll tax assessed against women is unfair. In the case of the husband who pays his wife's poll tax, it is in reality a double poll tax on the husband; many times a man has more than one woman in his household of taxable age, for all of whom he has to pay. Single women, young and old, who work in laundries, stores, mills or in other places where often the position is not particularly remunerative, have all they can do to live without the further burden of a poll tax.

A poor woman could never be on the same basis with regard to paying a poll tax as a man, for there will never come a time when a poor woman may work out her tax on the street or road, as is done in many cases by the men, without appearing ridiculous. Many poor women have been paying their poll tax a few cents at a time or not at all.

Of course a woman who had an income of her own probably could afford to pay a poll tax of five dollars. Admitting such to be the fact, it would then many times be a difficult undertaking to justly place the line of demarcation as to those who should or should not pay.

I believe that the hardships incurred by a poll tax on women far outweigh any benefits which may accrue and I recommend herewith legislation which shall abolish this tax.

There has been no revision of our statutes since that provided for in 1889. That revision included the acts passed in 1891. In the intervening time, the legislatures have passed 2,274 public acts, covering about 3,000 pages. A revision provided for at this session would naturally include the laws enacted in 1923 and 1925, so that when the revision would take effect some 2,500 acts in addition to, or amendment of, the Public Statutes would be upon the books. In this situation, if there should be no revision, the difficulty of ascertaining what the Statute Law of the State is, would be even more difficult than it is today. Not infrequently inconsistent provisions are found. Instances are not lacking where legislatures have passed laws without knowledge of some earlier enactment upon the subject, which was buried in the mass of our Session Laws.

It has been the custom to revise our public laws at not infrequent intervals. In the forty-nine years from 1842 to 1891 the statutes were revised four times. In the 34 years which must elapse between a revision provided for now and that of 1891, a very much larger amount of legislation per year has been enacted than in any previous period of the same length. The situation is much worse than it has ever been before.

The Volume of Public Statutes is the people's law book.

It is constantly consulted by a great variety of our citizens. Selectmen and tax collectors, school boards and county commissioners, in fact all public officers in the executive part of our government, both state and local, have occasion to resort to the statutes with great frequency in order to ascertain what they should do. Not only public officers, but executors and administrators of estates, guardians and persons managing trust funds, and many others, have like occasion. Most of these people are not lawyers, and the statutes ought to be in such available form that those not especially trained in the law can ascertain their duties and rights by a first-hand examination of the statute law of the State. It is highly desirable that this should be so. The greater the number of citizens who know and understand what the legislatures have done, the larger becomes the intelligent interest in our state government.

A revision should be now provided for, so that all the statute law of the State may be put into compact and understandable form. It is one of the practical ways in which the government can be kept nearer to the people.

For many years the business men and borrowers of our State have been protected from rapacious and unscrupulous money lenders whose sole desires have been to enrich themselves at the expense of those in need. Many and frequent have been the efforts made to nullify this wholesale doctrine but the democratic spirit based upon the good of the many has withstood the onslaughts.

Despite the Presidential aim to return to normalcy, and in direct contravention thereof, the last Legislature, unmindful of the consequences, destroyed this protecting barrier and made the legal rate of interest whatever the lender, through the borrower's necessity might demand and exact.

This unwholesome act creates a fertile field for profiteering, establishes a dangerous and pernicious policy, aimed at those in financial difficulty, and is a long step backward against progress in American legislation. I advocate the immediate repeal of this act and the re-establishment of the maximum legal rate of interest at six per cent.

The farming industry has been on the decline in this State for some time, and if agriculture could be made profitable, great benefit would accrue to the farmers and indirectly to all people in the State.

When the same amount of capital, skill and labor, under favorable hours and working conditions, taking into consideration the hazards and risks due to weather and other conditions beyond the farmers' control, will yield an income comparable to investments in other lines of business; and when the educational and social opportunities in the rural communities meet the needs and demands of the people, then, and not until then, can we have a backward movement to the farm, and increasing agricultural production.

The successful farmer of the future must have education, business ability and energy, equal to that necessary to success in any business, and unless these qualifications will bring as satisfactory returns when applied to agriculture as when applied to other industrial activities, young men of this type, many of them coming from our farms, will not engage in farming.

To bring about a return to the conditions necessary to successful agriculture, is the problem not only of the farm organizations of the State but of all its citizens, because the prosperity of the State and its people is dependent, to a considerable extent, on a prosperous agriculture.

I need not mention all the things that have contributed to bring about the present unhappy agricultural conditions. Some are the result of the war, including the loss of satisfactory foreign markets for surplus agricultural products, a depreciated foreign currency, together with lack of credit facilities suited to the farmers' needs for storing and orderly marketing of his crops. These and other causes have reduced the purchasing price or exchange value of the farmer's dollar to approximately sixty-five cents.

The farmer is today receiving too small a share of the consumer's dollar; in the country as a whole, this amounts to less than fifty cents. Any legislation relating to co-op-

erative marketing which would remedy this condition should be given consideration.

The expense of the towns for joint maintenance of State roads, is, in most instances, so heavy a tax that it practically prohibits the raising of sufficient funds to maintain the country roads, with the result that these roads are getting worse each year, causing the farmers served by them to leave their farms and go to the cities or to some more favored location on a State Highway. This is an unfortunate situation, as many of our best farms are located some distance off the state road, and their loss to the agriculture of the state would be a great misfortune. Good school privileges and good highways are absolutely essential to the welfare of our rural communities and we must, in some way, provide for their maintenance. If a material increase in revenue should come from the State through the imposition of a gasoline tax, perhaps a proportion of such income could be turned back to the towns on some equitable basis for the maintenance of the country roads. The people living on such roads would contribute materially to the revenue from a gasoline tax and would be entitled to some direct benefit from such contribution. There is some demand from the rural districts for a state police. This would call for a considerable additional expense and would be of doubtful efficacy. No burden which can be avoided should be put upon the taxpayers of the State. We might have, however, more rigid trespass laws which, with strict enforcement, would provide greater protection to the farmer. I recommend the enactment of such a trespass law as will give the farmer this further protection.

In 1917 at the urgent appeal of the live stock interests of the United States, a forward movement was begun to stamp out bovine tuberculosis from the herds of America. This tremendous enterprise was undertaken in order to save the stupendous annual loss of 50 millions of dollars and the decimation of our pure-bred cattle by this dread disease.

The Federal Department of Agriculture, through its division of animal industry, recognized the economic im-



portance of the work. Congress was appealed to, and Federal funds were provided to aid the states in their fight for clean and safe cattle, from which source came the dairy and a majority of the meat supply of our people. Co-operation with the states was effected through proper departments and with appropriations made by the State legislatures, the program of eradication under the accredited herd plan was set in motion. Today every state in the Union is waging its battle for freedom from this white plague with a marked degree of success.

The work in New Hampshire was started early in a very small way, owing to limited appropriations and inadequacy of the law pertaining to contagious and infectious diseases. In 1919 the law was amended which permitted of more latitude in the service. The work grew so rapidly, under the demands from the cattle owners for clean herds, that soon both the law and appropriations were found to be too limited to meet the conditions, and in 1921 a new law embodying the good points of the old was enacted and an appropriation of \$75,000.00 was provided for each of the fiscal years ending June 30th, 1923. Under the new law the work of tuberculosis eradication has progressed rapidly. Startling conditions have been found and equally startling results have been obtained.

The program of work has been almost wholly along voluntary lines. The compulsory features of the law have been applied only in rare cases, for the reason that the voluntary applications for accredited tests have always been in the lead of the ability of the department to make them, coupled with the utter lack of appropriations, to prosecute the work and meet the indemnity claims arising therefrom.

The number of herds now under supervision is 1802, comprising 24,729 head of cattle or a seventh part of all the cattle of the state. 19,506 or 11.9 per cent of the cattle population of the state have been tested. 412 herds are now on the waiting list for first tests and the appropriation provided for the present fiscal year is exhausted as of January 1st, with uncompleted and over-lapping claims, as near as

can be estimated running from \$3000 to \$5000, to be met from a future appropriation either emergency or regular.

The present law was drafted as a bill providing for \$150,000 for each year of the biennium, but the amount was cut to \$75,000 on its passage. Had the former amount been appropriated it would have carried the work through to July 1st, 1923, meeting the needs of the work apparently in an ample manner.

As it is, all the work ceased January 1st, while the application of new tests has been practically stopped since December 1st. This can be avoided only by providing immediate funds to meet the present emergency. I feel that we can work the matter along to July 1st fairly well on \$50,000 when the regular appropriation will become available and I hope the legislators will give due consideration to this branch of State work and provide at least \$125,000 for each of the next two years.

Tuberculosis has grown into many herds of dairy cattle. It should be controlled in such a way that it will grow out. To accomplish this is to prevent the spread of tubercle bacteria from the present infected cattle so that with the disappearance of the animals now infected this dread and destructive disease will be no more. We should keep ever in mind the words of the great Pasteur, "It is within the power of man to eliminate the infectious diseases from the face of the earth."

For nine months last year three sections of the State, which are ordinarily among the most prosperous, as well as the most populous sections of New Hampshire, were tied up in one of the most disastrous industrial struggles in our history. Some of the corporations involved passed their dividends, affecting not only stockholders in New Hampshire but all over the country. Entire cities and towns have been set back ten years at least in their development because of the business depression caused by the unproductiveness of so many of their number. It is not only the working people on strike in those cities and towns who have suffered a serious diminution of their resources. All the

industrious and frugal people in these communities have suffered to such an extent that it will take them years to recover. More than that, little children, who will be the citizens of our next generation, have had their constitutions seriously undermined by deprivations endured over so long a period of stress. That is a serious enough indictment, even without considering the warping of their souls, as well as of their bodies, from having at a most impressionable period of their young lives been obliged to witness the suffering and the hatred engendered by such a long drawn-out struggle. And what has it all been about? In the final analysis it comes down to a difference of opinion between employer and employee as to which side is the more responsible for certain losses claimed to have been suffered in textile industries of the state. And in the struggle, is it desirable to deprive the women and children in that industry of a chance to develop into strong, healthy, well educated and responsible citizens while the facts are being proved? Moreover should the expense of such proof be borne by the state or by the industry involved? In deciding this latter question, it is necessary for us to consider that we are here to represent the people of the State, not industries controlled out of the State, and that if we decide that the state must bear the burden, we shall necessarily decide that the people of the State of New Hampshire must be taxed to provide the necessary funds.

As Americans, we look across the water and are shocked at the unexpectedly long life of Soviet Russia. We shudder to think of what will happen to Europe if Germany, too, as so many are today predicting, is driven into the Bolshevik ranks. Some men in this country publicly congratulate themselves and the rest of us that that cannot happen here. "We", they say, "have the ballot. Our citizens know that if they do not approve of conditions here, they can change them by resort to the polls." That, in truth, is the theory of our Government. Acting upon this American doctrine, the voters of the State, at the recent election, gave their unqualified approval to the immediate legislative settle-

ment of hours of labor for women and children in manufacturing industries. And in sober earnestness, I say that we, who today take up the government of affairs in New Hampshire, are confronted with the most serious responsibility for the maintenance of that government, that our General Court has, perhaps, ever faced.

The nine months' struggle I have tried to describe, perhaps needlessly, as it is still so fresh in our minds, has been one of the most orderly, not only in the industrial history of the State, but of the country. Those of us whose memories go back to the railroad strikes in Chicago; to the steel strikes at Homestead; to the miners' struggles in Colorado and the more recent difficulties at Herrin, not to mention the textile strikes in Lawrence in 1912, have some basis for thankfulness that at least we have escaped the violence and disorder that prevailed in those localities, with the loss of life and property, the moral degradation and distrust of our government entailed thereby. All the more reason have we to consider our duty to the State lest we fall on times as evil as those.

The workers of New Hampshire, when their strike showed signs of failure, did not resort to lawlessness and violence. They took up their work again on whatever terms they could make and resorted to the polls in November. Never has the General Court and the elected members of the State Administration been given a clearer mandate, and we cannot believe that the textile workers alone were instrumental in giving that mandate. We look beyond them to the people of New Hampshire in all walks of life whose private resources have been levied upon by the one side and the other in this monumental struggle, and we must believe that at least the majority of those whom we are sent here to represent are of the opinion that the declaration of Independence is still valid, and that men and women in our Commonwealth are still entitled to "Life, Liberty, and the Pursuit of Happiness."

This is not the time or the place to discuss the pros and cons of the forty-eight hour week law for the protection

of women and children in this State, but we who are sent here to govern New Hampshire for the next two years, must recognize our responsibility to the people who have so clearly and sanely resorted to the ballot to obtain what they had failed to obtain by other means more onerous to the community. That there were people, other than the strikers, in the afflicted communities, who tried and failed to settle the strike on a basis of reasonable compromise, is well known. May we not believe that they, too, have used their ballots at least as intelligently as the strikers? And for those who only stood and waited with diminishing resources, may we not believe that they also form part of that majority whose ringing mandate we cannot but assume we are here to obey?

Not only the eyes of the workers of New Hampshire are upon us in this crisis, but the eyes of all just people throughout the United States of America. More than that, let us realize that the eyes of all men and women workers in the country, in whatever industry, are looking to us to see whether the ballot can take the place of the strikes that have for generations hampered our industrial growth and limited our commerce and our civic development. Throughout the country, throughout the world today, there is unprecedented unrest. With this constructive opportunity before us to give the people of the State of New Hampshire justice and stability through the orderly processes of legislation, shall we fail?

If we fail to recognize this crisis and our duty in it, we shall not only fail of our responsibility to the electorate of the State, but we shall possibly have to shoulder the still more serious responsibility of driving our country nearer the ranks of Bolshevism and Anarchy.

In my opinion, a law establishing a 48-hour week for women and children in manufacturing industries should be enacted at this session. From a humanitarian standpoint it is necessary. From a financial standpoint I believe it feasible. And that our New Hampshire industries will be able to secure a fair return on their investment, I am confident.

From any unprejudiced angle it appears right! The people of the State had an opportunity to look into the question for a number of months and their answer was given in November, 1922. I recommend without qualifications, the passage of a law calling for a 48-hour working week for women and children in manufacturing industries and suggest that such legislation be put into effect without delay.

I recommend that legislation be enacted whereby the West Side road, so called, extending from Hinsdale to Twin Mountain, in this State, be named the Dartmouth College Road.

Long before the establishment of the institutions of our State and Nation there existed in New England, communities governing themselves by direct action of their inhabitants. Here existed the purest form of Democracy wherein each inhabitant had equal rights and the will of the majority prevailed. Matters of purely local concern were settled by action of the community which bore the burden and reaped the benefit. In the formation of the State and the United States, the New England town with all its ramifications was made the basis upon which was patterned the federal constitution and the Bill of Rights of each individual State. The fundamental doctrine of the American Government is Home Rule—a doctrine consistent with the principle of government with the consent of the governed. This is retained in its original form by every township in our State. Encroachments, however, based upon motives far from democratic, have been made upon this principle in laws applying to many of the cities and their citizens have thereby been deprived of the rights the smaller communities enjoy. This is a perversion of the American spirit that hallows the will and consent of the governed and demands equality and justice to all. I advocate the immediate repeal of such laws as vest the government of local affairs in State appointed commissions and the enactment of laws placing the same in the control of the cities themselves.

For the last two weeks I have been looking over various

State institutions and departments, with the hope that I might gain a general idea of the situation, and thus be in a position to advance a few sane propositions at this time with relation thereto. But I am free to confess that the task undertaken was more or less unproductive of results because of the shortness of the time available for such an examination. It has been impossible for me to get in touch with some of the departments and institutions up to the present time, through the fault of no one. I want to say that the officials with whom I came in contact were courteous and did all in their power to furnish me with such information as was available. He who attempts to suggest, recommend or criticize the conditions of the various departments and institutions of this State, after so casual an inspection, assumes a task of vast proportions, especially considering the able men who have preceded me, their marked ability and the effort and energy they must have expended in order that state problems might be handled wisely. It appears impossible for me to make any recommendation now, with regard to these matters. Without doubt I shall desire the privilege of appearing before you later in the session, perhaps more than once, to discuss State Departments and Institutions. However, the fact is that at present our State revenue is insufficient to answer the demands upon it without having a State tax which is almost prohibitive, and I believe that, not from choice, but by force of necessity, our only avenue of escape is to curtail our expenditures.

The average tax rate in towns in 1914 was \$1.65 per hundred dollars of valuation, and in 1922 the average reached \$2.46. The county tax rate made a proportional increase from \$1.66 per hundred dollars of valuation to \$2.48.

The State Tax in 1914 was \$800,000, while in 1922 the State Tax was \$2,150,000. In addition to the latter amount, the State received in revenue for general purposes from other sources, \$1,794,766.30. The larger part of this additional income was from corporation taxes and legacy taxes. Revenue for specific purposes was also received to

the amount of \$1,972,084.33, nearly two-thirds of this amount being fees of the Motor Vehicle Department which are expended only for highway purposes. The revenue from other sources than the State Tax, has increased in nearly the same proportion as the State Tax. While the net debt of the State at the close of the last fiscal year was \$945,672.62, it is practically the same as in 1914 when it was \$965,503.97, although the appropriation liabilities, which are apparently not considered in arriving at the net debt, amounted to \$1,239,752.40—a considerably larger sum than the appropriation liabilities in 1914. The purpose of this comparison is merely to indicate the growth of the State expenditures during the past eight years, or from the pre-war period.

The total disbursements for the year ending June 30, 1922, were \$4,152,353.77, of which \$2,838,910.77 was expended by the State institutions, the highway department and the State Board of Education, which latter amount plainly represents two-thirds of the total expenditures.

The estimates handed in by the various departments and institutions showing the anticipated expense for the two fiscal years beginning July 1, 1923, show a requirement for a State Tax of approximately \$1,500,000 for the first year and \$1,700,000 for the second year, and these enormous amounts which will be required to cover our State needs will be outside any special appropriation which may be made.

The people of New Hampshire expect us to reduce the State Tax, and this result can be obtained only by reducing special appropriations to the lowest possible figure, by the reduction of expenditures of state departments, by a possible combination of departments, by a reduction of the estimates for appropriations for the benefit of such departments when this can be effected without injurious results, and by a careful expenditure of the State funds by the various institutions.

It is clearly manifest that we should exert our utmost endeavors to promote the public welfare; in consequence whereof our slogan at all times should be "economy." The way for us to economize is to go without and stop spending,



and I bespeak to you my support of any legislation tending in that direction, except in cases where there is something in question far more important than money.

In closing, I want to thank the people of the State of New Hampshire for the great confidence which they have reposed in me. My only hope is that my administration of affairs during the next two years will be such as to demonstrate that the confidence expressed has not been misplaced.

On motion of Senator Tripp of District 14,—

*Resolved*, That the message of His Excellency, the Governor, be laid upon the table, and the clerk of the House be directed to procure the usual number of printed copies.

On motion of Senator Abbott of District No. 4, the convention rose.

#### HOUSE.

Pursuant to a previous resolution the Speaker appointed the following committee to prepare resolutions on the death of Representative George W. Benson: Messrs. Sibley of Manchester, Taylor of Derry, MacMurphy of Derry.

Mr. Moses E. Young of Berlin, having qualified before His Excellency the Governor appeared and took his seat as a member of the House.

On motion of Mr. Wright of Sanbornton, at 2.30 o'clock the House adjourned.

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FRIDAY, JANUARY 5, 1923.

The House met at 9.30 o'clock.

On motion of Mr. Cheney of Concord at 9.31 the House adjourned.

MONDAY, JANUARY 8, 1923.

The House met at 7.30 P. M.

STANDING COMMITTEES.

The Speaker announced the following Standing Committees:

*Agriculture.*—Hardy of Hollis, Elms of Lyman, Clark of Acworth, Burt of Westmoreland, Holmes of Barnstead, Locke of Barrington, Lord of Wakefield, Pottle of Jefferson, Russell of Greenfield, Rudd of Franconia, Chesley of Rochester, Fernald of Dover, Cross of Hanover, Bartlett of Kingston, Weeks of Gilford.

*Agricultural College.*—Comings of Lee, Barry of Charlestown, Craig of Manchester, Fowler of Epsom, Connor of Manchester, Chaney of Hooksett, Carleton of Concord, Webster of Canaan, St. Germain of Manchester, Daniell of Greenland, Cox of Manchester, Fogg of Durham, Gordon of Merrimack, Deal of Piermont, Cotton of Warren.

*Appropriations.*—Barry of Nashua, Lord of Manchester, Nourse of Littleton, McHugh of Gorham, Dickinson of Swanzey, Hutchins of Stratford, Ladd of Epping, Osborne of Sunapee, Roberts of Meredith, Kenney of Manchester, McDonnell of Manchester, Murdock of Hill, Cheney of Concord, Clow of Wolfeboro, Stanley of Lincoln, Lovejoy of Milford, Childs of Hillsborough.

*Banks.*—Hardy of Ashland, Kellom of Winchester, Smith of Tilton, Dowdell of Portsmouth, Johnson of Warner, Mooney of Littleton, Lawrence of Middleton, Chevrette of Manchester, Cotton of Nashua, Tenney of Claremont, Butler of Hillsborough, Waterman of Lebanon, Hallett of Lisbon, Lewis of Newport, Flint of Antrim.

*Claims.*—Fleming of Manchester, Lawrence of Middleton, Creighton of Manchester, Durkin of Dover, Sullivan of Manchester, Ward 7, Bilodeau of Nashua, Getz of Manchester, Sylvestre of Nashua, Girard of Somersworth, Gordon of New Hampton, Trafton of Portsmouth, Davis

of Goffstown, Davis of Stoddard, Felch of Seabrook, Johnson of Danville, MacMurphy of Derry, Tobey of Temple.

*County Affairs.*—Hogan of Jaffrey, Bellerose of Pembroke, Tallman of Canterbury, Remillard of Manchester, Janelle of Dover, Gagnon of Manchester, Fadden of Thornton, LaSalle of Hooksett, Kent of Londonderry, Pentland of Nashua, Smith of Belmont, Currier of Conway, Smith of Farmington, Blodgett of Kensington, Lowe of Rochester.

*Education.*—MacMurphy of Derry, Mrs. Caldwell of Portsmouth, Sanborn of Tilton, Dionne of Manchester, Griffin of Auburn, Houle of Littleton, McNamara of Lebanon, O'Connor of Hinsdale, Roukey of Manchester, Etsler of Claremont, Smart of Ossipee, Batchelder of Exeter, Littlefield of Newton, Reed of Keene, Harris of Orford.

*Elections.*—Ladd of Epping, Rollins of Andover, Griffin of Berlin, Chandler of Conway, Rolfe of Concord, Morin of Manchester, Jones of Alton, Houle of Somersworth, Gelinas of Rochester, Wolcott of Claremont, Cloutman of Dover, Brown of Whitefield, Wood of Stewartstown, Johnson of Danville, Collins of Bristol.

*Fish and Game.*—Chandler of Conway, Currier of Manchester, Dunlap of Laconia, Rockwood of Brookline, Murphy of Manchester, Dodge of Concord, Blais of Manchester, McIntire of Lancaster, Rigney of Nashua, Thomas of Tuftonboro, Meader of Rochester, Robinson of Newport, Blanchard of Moultonborough, Rowden of Northumberland, Farmer of Hampton Falls.

*Forestry.*—Walker of Hopkinton, Mrs. Bartlett of Raymond, Foye of Manchester, Jones of Alton, Kidder of Rumney, Hartford of Manchester, Nutting of Pittsburg, Rolfe of Concord, Walker of Unity, Albee of Bow, Avery of Laconia, Frazer of Monroe, Wolcott of Claremont, Weston of Hancock, Winslow of Nashua.

*Incorporations.*—Wells of Walpole, French of Laconia, LaSalle of Hooksett, Pecor of Manchester, Lund of Danbury, Kelley of Manchester, Ward 5, Ryan of Dover, Clancy of Manchester, Keleher of Berlin, Jones of Keene, Carleton

of Pelham, Sawtelle of Rindge, Brooks of Claremont, Walker of New Ipswich, Steward of Northwood.

*Industrial Schools.*—Pridham of New Castle, Fleming of Manchester, Durkin of Dover, Dube of Nashua, Taylor of Derry, Grant of Manchester, Rousseau of Newmarket, Larue of Berlin, Girouard of Nashua, Barney of Claremont, Ela of Conway, Danforth of Concord, Barrett of Keene, Farnsworth of Washington, Bluitte of Lempster.

*Insurance.*—Qualters of Winchester, Conboy of Manchester, Eastman of Lebanon, Labrie of Berlin, Coyne of Manchester, King of Keene, Cote of Somersworth, Mahan of Franklin, Gauthier of Manchester, Ward 12, Rossiter of Claremont, Grimes of Boscawen, Empey of Keene, Sanborn of Center Harbor, Callahan of Keene, Robinson of Milford.

*Judiciary.*—Martin of Concord, Barry of Nashua, Normandin of Laconia, Landers of Keene, Cronin of Portsmouth, Doyle of Nashua, Hutchins of Berlin, Gagne of Somersworth, Nyberg of Manchester, Barry of Manchester, Thayer of Concord, Lyford of Concord, Wright of Sanborn-ton, Smith of Peterborough, Jacobs of Lancaster, Eaton of Nashua, Jewett of Laconia.

*Labor.*—Craig of Manchester, Stevens of Landaff, Mortenson of Gorham, Burke of Manchester, Houle of Somersworth, Watson of Randolph, Qualters of Winchester, Fitzgerald of Manchester, Cotton of Nashua, Winant of Concord, Snow of Whitefield, Wood of Portsmouth, McDuffee of Candia, Cowan of Salem, Merrill of Hudson.

*Liquor Laws.*—Hutchins of Berlin, MacMurphy of Derry, Kane of Portsmouth, King of Keene, Thornton of Grantham, Russell of Greenfield, Grant of Manchester, Sibley of Manchester, Ross of Lebanon, MacLeod of Littleton, Snow of Whitefield, Hills of Plaistow, McDuffee of Rochester, Balch of Bennington, Currier of Conway.

*Manufactures.*—Kellom of Winchester, Robinson of Concord, Leonard of Manchester, Sullivan of Nashua, Ward 4, Duval of Manchester, Girard of Somersworth, Gotts of Rochester, Carr of Manchester, Twombly of Nashua, New-

ton of Concord, Aiken of Franklin, Cronan of Manchester, Cowles of Salem, Ford of Amherst, Nichols of Claremont.

*Mileage.*—LaRochelle of Berlin, Marcoux of Rochester, Fadden of Thornton, Durnin of Dover, Sylvestre of Nashua, Getz of Manchester, McLaughlin, Jr., of Manchester, Papanichristos of Nashua, Webb of Dover, Smith of Northumberland, Dow, Jr., of Windham, Smith of Belmont, Pulsifer of Campton, Tenney of Chester, Ferren of Errol.

*Military Affairs.*—Hutchins of Stratford, Leclerc of Manchester, Kelley of Manchester, Ward 4, Heon of Somersworth, McGinnis of Troy, Jackson of Pittsfield, Hopkins of Berlin, Bilodeau of Nashua, Donnelly of Manchester, Cilley of Manchester, Wheeler of Nashua, Swain of Exeter, Glynn of Newport, DeMoulied of Manchester, Webb of Dover.

*National Affairs.*—Blais of Manchester, Normandin of Laconia, Duncan of Jaffrey, Janelle of Dover, Robinson of Concord, Cote of Somersworth, McLaughlin, Jr., of Manchester, Wardman of Newmarket, Cloutman of Dover, Wheelwright of Webster, Wood of Stewartstown, Smith of Northumberland, Stevens of Milton, Pulsifer of Campton, Hale of Wolfeboro.

*Normal Schools.*—Smith of Manchester, Mooney of Littleton, Sawyer of Woodstock, Gowitzke of Manchester, Spillane of Nashua, Howard of Dover, Smith of Berlin, Burns of Manchester, Garfield of Dublin, Mason of Keene, Merrill of Exeter, Cressey of Concord, Chase of Plymouth, Franklin of Cornish, Wheeler of Atkinson.

*Public Health.*—Mrs. Bartlett of Raymond, Jackson of Pittsfield, Bellerose of Pembroke, Durkin of Dover, Johnson of Warner, Hickey of Wilton, Newton of Franklin, Boisvert of Greenville, Mrs. Yantis of Manchester, Marks of Berlin, Reynolds of Dover, Kendall of Concord, Field of Exeter, Merrill of Laconia, Smith of Northumberland.

*Public Improvements.*—Lee of Concord, Rollins of Andover, Johnson of Manchester, Tuttle of Marlborough, Labranche, Jr., of Newmarket, Fall of Tamworth, Davis of Rollinsford, Spaulding of Goffstown, Hill of Enfield, Willey

of Brookfield, Dodge of Manchester, MacLeod of Littleton, Hopkins of Keene, Wells of Sutton, Gilchrist of Henniker.

*Railroads.*—Duncan of Jaffrey, Murphy of Manchester, Judkins of Franklin, Kane of Portsmouth, French of Laconia, Senecal of Derry, Sullivan of Nashua, Ward 5, Riley of Manchester, Blais of Berlin, Spaulding of Hudson, Holt of Laconia, Nay of Milan, Knights of E. Kingston, Barney of Claremont, Southard of Bath.

*Retrenchment and Reform.*—Garneau of Franklin, Larue of Berlin, Sibley of Manchester, Rourke of Manchester, Boilard, Jr., of Nashua, Maynard of Manchester, Burns of Nashua, Remillard of Manchester, Hobbs of Hampton, Knox of Farmington, Roberts of Dover, Sherwood of Plymouth, Preston of Strafford, Rand of Rye, Carter of Northfield.

*Revision of Statutes.*—Doyle of Nashua, LaRochelle of Berlin, Lee of Concord, Quinn of Manchester, Garneau of Franklin, Gannon of Concord, McNulty of Manchester, Eastman of Weare, Healey, Jr., of Manchester, Price of Lisbon, King of Concord, Cobleigh of Nashua, Smith of Portsmouth, Davison of Haverhill, Bridgman of Hanover.

*Roads, Bridges and Canals.*—Griffin of Berlin, Goodwin of Gilmanton, Dowdell of Portsmouth, Young of Colebrook, Durnin of Dover, Moquin of Manchester, Sanborn of Salisbury, Lamy of Manchester, Barrett of Bethlehem, Parker of Benton, King of Walpole, Hoyt of Sandwich, Cronan of Manchester, Scruton of Portsmouth, Huntley of Marlow.

*School for Feeble Minded.*—Kempton of Laconia, Casey of Portsmouth, Edgerly of Rochester, Rajotte of Manchester, Pelletier of Nashua, Hill of Loudon, Phillips of Concord, Godbout of Manchester, Gauthier of Manchester, Pike of Brentwood, Gardner of Springfield, Young of Berlin, Dow of North Hampton, Hunt of Carroll, Chick of Madison.

*Soldiers' Home.*—O'Neil, Jr., of Dover, Seavey of Wilmot, Creighton of Manchester, Burns of Nashua, Sibley of Manchester, Fulton of Effingham, Howard of Lebanon, Thornton of Grantham, Bartlett of Manchester, Badger of

Laconia, Cutting of New London, Pierce of Berlin, Roby of Concord, Cox of Portsmouth, Ashley of Dorchester.

*State Hospital.*—Sanborn of Bradford, Hoyt of Frances-town, Cheney of Pittsfield, Tobin of Manchester, Lyons of Nashua, Hayward of Berlin, McBride of Manchester, Sullivan of Manchester, Ward 7, Frizzell of Colebrook, Wheeler of Nashua, Rudd of Franconia, Pulsifer of Holderness, Putnam of Lyndeborough, Blake of Gilsum, Pierce of Claremont.

*State Prison.*—Lang of Haverhill, Chellis of Grafton, Ploss of Manchester, Desroche of Allenstown, Bouchard of Manchester, Marcoux of Rochester, Hanagan of Somersworth, Weeks of Portsmouth, Bemis of Harrisville, McDuffee of Rochester, Dewing of Alstead, Gates of Keene, White of Deerfield, Ball of Surry, Connor of Newfields.

*Towns.*—Parker of Benton, Hogan of Jaffrey, Tallman of Canterbury, Coyne of Manchester, Mahan of Franklin, Carr of Manchester, Papachristos of Nashua, Gauthier of Manchester, Ward 12, Firmin of Fitzwilliam, Christie of New Boston, Carter of Northfield, Rand of Rye, Clark of Bedford, Tenney of Chester, Ferren of Errol.

*Unfinished Business.*—Burns of Manchester, Casey of Portsmouth, Phillips of Concord, Frizzell of Colebrook, Labrie of Berlin, Riley of Manchester, Sullivan of Nashua, Ward 4, Wardman of Newmarket, Sims of Columbia, Balch of Bennington, Spring of Chesterfield, Hamlin of Bartlett, Barton of Croydon, Randall of Hampstead, Felch of Seabrook.

*Ways and Means.*—Stevens of Landaff, Duncan of Jaffrey, Martin of Pembroke, Hallisey of Nashua, Sawyer of Woodstock, Smith of Tilton, Gelinas of Rochester, Laughlin of Manchester, Bass of Peterborough, Wood of Portsmouth, Ordway of Milford, Tobey of Temple, Rossiter of Claremont, Farmer of Newbury, Moore of Berlin.

*Rules.*—The Speaker, Martin of Concord, Normandin of Laconia, Cheney of Concord, Price of Lisbon.

*Journal of the House.*—The Speaker, Jones of Alton, McDuffee of Rochester.

## JOINT STANDING COMMITTEES.

*Engrossed Bills.*—Colby of Plainfield, Converse of Lyme.  
*State House and State House Yard.*—Johnson of Manchester, Chandler of Conway, Wolcott of Claremont.

*State Library.*—MacMurphy of Derry, Quinn of Manchester, Mrs. Yantis of Manchester.

## PAGES.

*Speaker's Page.*—Emile Dupuis, Concord.

*Pages.*—Chester Mooney, W. Canaan, John Burke, Manchester, Edgar Chevette, Manchester, James J. Connell, Jr., Manchester, Francis Foley, Concord.

On motion of Mr. Cheney of Concord, after the clerk had begun the reading of the committees, it was voted that the further reading be dispensed with.

On motion of Mr. Kendall of Concord the House adjourned at 7.34 P. M.

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TUESDAY, JANUARY 9, 1923.

The House opened at 11 A. M.

Prayer was offered by the Rev. C. B. Etsler of Claremont.

## LEAVES OF ABSENCE.

Messrs. Pierce of Berlin and Young of Berlin were granted leave of absence for the week on account of important business.

Messrs. Thayer of Concord, Ford of Amherst and Flint of Antrim were granted leave of absence for the week on account of illness.

Messrs. Childs of Hillsborough, Ordway of Milford, McDonald of Manchester, Fleming of Manchester were granted leave of absence for the day on account of important business.

## PETITION PRESENTED AND REFERRED.

By Mr. Lyford of Concord, Petition of Willie B. Emmons of Thornton praying that he be declared entitled to the office of representative in place of Fadden of Thornton.

Presented and referred to the Committee on Elections.



## HOUSE RESOLUTION.

Presented by Mr. Winant of Concord, asking that the Committee on Elections be instructed to inquire by what right Burt J. Carleton of Ward 7, Concord, holds his seat.

Presented, adopted, and referred to the Committee on Elections.

## JOINT RESOLUTION INTRODUCED.

By Mr. Bass of Peterborough, House Joint Resolution No. 1, to provide for a commission to provide for an investigation of the facts pertaining to proposed 48-hour Legislation for women and children in industry.

Read a first and second time, laid on the table to be printed, and referred to the Committee on Labor, with instructions that it be reported back and made a Special Order for Tuesday next at 11.01.

## INTRODUCTION OF BILLS.

The following bills were introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Barry of Nashua, House Bill No. 1, An act in amendment of Section 1, of Chapter 156 of the Laws of 1913, as amended by Section 1 of Chapter 196 of the Laws of 1917. To the Committee on Labor.

By Mr. Callahan of Keene, House Bill No. 2, An act in amendment of Chapter 121, Session Laws of 1921, relating to interest and usury. To the Committee on Revision of Statutes.

By Mr. Murdock of Hill, House Bill No. 3, An act to provide for a revision of the Public Statutes. To the Committee on Judiciary.

By Mr. Empey of Keene, House Bill No. 4, An act repealing Section 11 of Chapter 55 of the Public Statutes relating to the exemption from taxation of manufacturing establishments. To the Committee on Ways and Means.

By Mr. Duncan of Jaffrey, House Bill No. 5, An act to promote the raising of live stock by the exemption of live stock from taxation. To the Committee on Ways and Means.

By Mr. Thayer of Concord, House Bill No. 6, An act to provide for a revision of the Public Statutes. To the Committee on Judiciary.

JOINT RESOLUTION INTRODUCED.

By Mr. Lyford of Concord, House Joint Resolution No. 2, Joint resolution providing for a fact-finding commission relative to proposed legislation as to hours of labor.

Read a first time. On the question: Shall the resolution be read a second time, the vote was in the affirmative. On motion of Mr. Stevens of Landaff, after the second reading was begun, the further reading was dispensed with and the resolution laid on the table to be printed and referred to the Committee on Labor to be reported out on Tuesday next at 11.01, under the Special Order.

BILL INTRODUCED.

By Mr. Farmer of Newbury, House Bill No. 7, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Newbury.

Read a first and second time, laid on the table to be printed and referred to the Committee on Judiciary.

On motion of Mr. Barry of Nashua it was voted that the Clerk be instructed to procure 2,000 extra copies of House Bill No. 1, for distribution.

On motion of Mr. Murdock of Hill,

*Resolved*, That the use of Representatives Hall be granted to the Forestry Department for a Forestry Meeting on Wednesday evening, January 24th.

RESOLUTION.

The following resolution was presented, by the committee previously appointed:

RESOLUTIONS ON THE DEATH OF REPRESENTATIVE

GEORGE W. BENSON.

WHEREAS, This House has learned with sincere sorrow of the death of Representative George W. Benson of Derry, and

WHEREAS, In view of the loss we have sustained by the decease of our fellow member, and of the still heavier loss sustained by those who were nearest and dearest to him, therefore, be it

*Resolved*, That it is but a just tribute to the memory of the departed that today in regretting his removal from our midst we mourn for one who was, in every way, worthy of our respect and regard.

*Resolved* That we sincerely condole with the family of the deceased on the dispensation with which it has pleased Divine Providence to afflict them and commend them for consolation to Him who orders all things for the best and whose chastisements are meant in mercy.

*Resolved* That the heartfelt testimonial of our sympathy and sorrow be forwarded to the family of our departed brother by the clerk of this House.

SIBLEY of Manchester  
MACMURPHY of Derry  
SENECAL of Derry.

The resolution was adopted.

The Speaker read a communication from Mayor Trudel of Manchester concerning the Winter Carnival in that city.

The Speaker announced a meeting of those interested in agriculture at 7.30 P. M.

#### BILL INTRODUCED.

By Mr. Fernald of Dover, House Bill No. 8, An act to create a Court of Industrial Relations.

On motion of Mr. Fernald of Dover under a suspension of the rules the bill was read a first and second time by its title, laid on the table to be printed and referred to the Committee on Judiciary.

#### SPECIAL ORDER.

Mr. Lord of Manchester called for the Special Order it being the drawing of seats.

The drawing of seats was then completed.

On motion of Mr. Cheney of Concord at 1.25 the House adjourned until 2 P. M.

#### AFTERNOON.

The House met at 2 P. M.

On motion of Mr. Bridgman of Hanover at 2.01 the House adjourned.

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#### WEDNESDAY, JANUARY 10, 1923.

The House met at 11 o'clock.

Prayer was offered by the Rev. A. H. Reed of Keene, a member of the House.

Mmes. Bartlett of Raymond, Caldwell of Portsmouth and Yantis of Manchester and Mr. Childs of Hillsborough were granted leave of absence for the day on account of important business.

Mr. Landers of Keene was granted leave of absence for the week on account of important business.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS.

The following bills and joint resolutions were severally introduced, read a first and second time, tabled to be printed, and referred as follows:

By Mr. Durkin of Dover, House Bill No. 9, An act to establish a legal rate of interest. To the Committee on Judiciary.

By Mr. Mortenson of Gorham, House Bill No. 10, An act authorizing the school district of Gorham to incur a limited amount of indebtedness to acquire land and construct, equip and furnish a high school building thereon. To the Committee on Judiciary.

By Mr. Rockwood of Brookline, House Bill No. 11, An act to legalize the biennial election held on the seventh of November, 1922, in the town of Brookline. To the Committee on Judiciary.

By Mr. Hobbs of Hampton, House Bill No. 12, An act relating to the issue of bonds by the school district of the town of Hampton. To the Committee on Judiciary.

By Mr. Walker of Hopkinton, House Bill No. 13, An act to legalize the votes and proceedings of the town of Hopkinton at the biennial election held November 7, 1922. To the Committee on Judiciary.

By Mrs. Yantis, of Manchester, House Bill No. 14, An act in amendment of Chapter 80 of the Laws of 1907, relating to marriages. To the Committee on Public Health.

By Mr. Martin of Concord, House Bill No. 15, An act in amendment of Chapter 186 of the Public Statutes relating to wills. To the Committee on Revision of Statutes.

By Mr. Wood of Portsmouth, House Bill No. 16, An act authorizing the Rockingham County Light & Power Company to issue preferred stock and for other purposes.

On motion of Mr. Wood of Portsmouth after the first reading was begun the rules were suspended, and the reading of the remainder dispensed with. The bill was read a second time, laid on the table to be printed, and referred to the Committee on Judiciary.

The following bills and joint resolutions were severally introduced, read a first and second time, tabled to be printed, and referred as follows:—

By Mr. Cobleigh of Nashua, House Bill No. 17, An act providing for two additional justices of the superior court. To the Committee on Judiciary.

By Mr. Fernald of Dover, House Bill No. 18, An act in amendment of Chapter 4 of the Special Session Laws of 1919, relating to poll tax. To the Committee on Ways and Means.

By Mr. Fernald of Dover, House Bill No. 19, An act relating to hours of employment. To the Committee on Labor.

By Mr. Page of Haverhill, House Bill No. 20, An act to establish a new apportionment for the assessment of public taxes.

After the reading was begun on motion of Mr. Duncan of Jaffrey the rules were suspended and the reading of the remainder dispensed with. The bill was then read a second time and referred to the Committee on Appropriations.

By Mr. Landers of Keene, House Joint Resolution No. 3, Joint resolution providing for the erection of a dormitory at the Keene Normal School.

The resolution was read a first time.

On motion of Mr. Duncan of Jaffrey the second reading was dispensed with under a suspension of the rules. The bill was ordered to the table to be printed and referred to the Committee on the Normal School.

By Mrs. Yantis of Manchester, House Joint Resolution No. 4, Joint resolution to enable the state to co-operate with the United States in the promotion of the welfare and hygiene of maternity and infancy in the state of New Hampshire. To the Committee on Public Health.

By Mr. Stevens of Landaff, House Joint Resolution No. 5, Joint resolution appropriating money for purposes of continuing the work of eradicating bovine tuberculosis and other purposes. To the Committee on Agriculture.

By Mr. Kendall of Concord, House Bill No. 21, An act concerning the transfer of bodies from one town to another. To the Committee on Public Health.

#### HOUSE RESOLUTION.

House Resolution with reference to the seating of George I. Philbrick of Freedom, introduced by Mr. Chandler of Conway. Read a first and second time and referred to the Committee on Elections.

#### ANNOUNCEMENTS.

The Speaker announced that all County delegations should meet and organize before tomorrow.

He also announced the organization of the Cheshire County delegation by the election of the following officers: William J. Callahan of Keene, Chairman, George H. Duncan of Jaffrey as clerk.

## COMMITTEE REPORT.

Mr. Cheney of Concord, for the committee to whom was referred the assignment of rooms to the Speaker, the standing committees of the House, and joint standing committees of the Senate and House, reported the same with the following resolution:

*Resolved*, That the assignment of rooms to the Speaker, to the standing committees of the House, and to the joint standing committees of the House and Senate be as follows:

## HOUSE COMMITTEES.

The Speaker,—Room 133.  
On Agriculture,—Room 135.  
On Agricultural College,—Room 135.  
On Appropriations,—Room 157.  
On Banks,—Room 150.  
On Claims,—Room 157.  
On County Affairs,—Room 100.  
On Education,—Room 300, Patriot Building.  
On Elections,—Room 145.  
On Fish and Game,—Fish and Game Office, Room 109.  
On Forestry,—Room 100.  
On Incorporations,—Room 155.  
On Industrial School,—Room 155.  
On Insurance,—Room 113.  
On Judiciary,—Room 147.  
On Labor,—Room 100.  
On Liquor Laws,—Patriot Building, Room 403.  
On Manufactures,—State Library.  
On Mileage,—Room 110.  
On Military Affairs,—Adjutant-General's Office.  
On National Affairs,—Room 102.  
On Normal Schools,—Patriot Building, Room 300.  
On Public Health,—Room 107.  
On Public Improvements,—Room 135.  
On Railroads,—Room 100.  
On Retrenchment and Reform,—Room 145.

On Revision of the Statutes,—Room 110.

On Roads, Bridges and Canals,—Patriot Building, Room 403.

On School for Feeble-Minded,—Room 154.

On Soldiers' Home,—Room 127.

On State Hospital,—Patriot Building, Room 403.

On State Prison,—Patriot Building, Room 403.

On Towns,—Room 127.

On Unfinished Business,—Room 155.

On Ways and Means,—Room 156.

On Rules,—Room 122.

On Journal of the House,—Room 122.

#### JOINT STANDING COMMITTEES.

Engrossed Bills,—Office of Secretary of State.

State House and State House Yard,—Room 122.

Joint Rules,—Room 122.

State Library,—State Library.

On motion of Mr. Fernald of Dover the report of the committee was accepted and the resolution adopted.

On motion of Mr. Lord of Manchester at 12.05 the House adjourned.

#### AFTERNOON.

The House met at 2 o'clock.

#### REPORT OF COMMITTEE.

The Special Committee on the selection of a Chaplain reported by its chairman Mr. Blais of Manchester that Rev. Herbert R. Whitelock had been chosen as Chaplain for the Session.

#### COUNTY ORGANIZATIONS.

The following County delegations reported their organization by the election of the following officers.

Merrimack County:

William A. Lee of Concord,—Chairman.

Harry M. Cheney of Concord,—clerk.



## Hillsborough County:

Raymond S. Cotton of Nashua,—Chairman.

Isaac N. Cox of Manchester,—clerk.

## Carroll County:

George A. Blanchard of Moultonborough,—Chairman.

Arthur S. Fall of Tamworth,—clerk.

## Rockingham County:

Frank A. Batchelder of Exeter,—Chairman.

George A. Wood of Portsmouth,—clerk.

On motion of Mr. Wheeler of Nashua at 2.20 the House adjourned.

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THURSDAY, JANUARY 11, 1923.

The House opened at 11 o'clock.

Prayer was offered by the chaplain.

## LEAVES OF ABSENCE.

Messrs. Carr of Manchester, Nyberg of Manchester and Chaney of Hooksett, were granted leave of absence for the day on account of important business.

Messrs. Moore of Berlin, Barry of Manchester, Duncan of Jaffrey, Newton of Concord and Cross of Hanover, were granted leave of absence for the day.

## CHANGE IN COMMITTEE.

The Speaker announced the following changes in committees:

Smith of Northumberland from Public Health to Forestry, Hartford of Manchester from Forestry to Public Health.

## APPOINTMENT TO COMMITTEE.

On motion of Mr. Lyford of Concord, it was voted that one member be added to the Committee on the State Agricultural College, to be appointed by the Speaker.

The Speaker then appointed Mr. Page of Haverhill in accordance with the foregoing vote.

## ANNOUNCEMENTS.

The following organizations of County delegations were announced:

Sullivan County:

Hartley L. Brooks of Claremont,—Chairman.

Alfred Peirce of Claremont,—clerk.

Grafton County:

Don S. Bridgman of Hanover,—Chairman.

H. K. Davison of Haverhill,—clerk.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS.

The following House Bill was introduced by Mr. Mortenson of Gorham, House Bill No. 22, An act in amendment of Chapter 188, Section 5 of the Laws of 1905, relating to the establishment of water-works and sewers in the town of Gorham.

The first reading having commenced, on motion of Mr. Mortenson of Gorham the rules were suspended and the bill read a first time by its title. The bill was then read a second time, laid upon the table to be printed and referred to the Committee on Judiciary.

The following bills and Joint resolutions were severally introduced, read a first and second time, ordered to the table to be printed and referred as follows,—

By Mr. Ashley of Dorchester, House Bill No. 23, An act in amendment of Chapter 26, Laws of 1917, relating to the chaining of wheels and the leaving of stones, boards, planks, fence, guard rails, sticks or brush upon public streets, highways or in any gutter or drain adjacent to same. To the Committee on Revision of Statutes.

By Mr. Smith of Peterborough, House Bill No. 24, An act providing for an excise tax for the purpose of doing business in the sale of gasoline and other products used in the propelling of motor vehicles and motor boats. To the Committee on Ways and Means.

By Mr. Garfield of Dublin, House Bill No. 25, An act amending Section 2 of Chapter 189 of the Laws of 1917, re-

lating to taxation of deposits in banks in other states. To the Committee on Banks.

By Mr. Cobleigh of Nashua, House Bill No. 26, An act to control the possession, sale, and use of pistols and revolvers.

The first reading having commenced, on motion of Mr. Cobleigh of Nashua the further reading of the bill was dispensed with. The bill was then read a first and second time by its title and referred to the Committee on Revision of Statutes.

By Mr. Burke of Manchester, House Bill No. 27, An act relating to the registration of motor vehicles. To the Committee on Revision of Statutes.

By Mr. Smith of Peterborough, House Bill No. 28, An act for the taxing of income derived from intangibles. To the Committee on Ways and Means.

By Mr. Smith of Peterborough, House Bill No. 29, An act to repeal Sections 1, 2, 3 and 4 of Chapter 14 of the Public Statutes, entitled "The state tax and charter fees" and abolish the state tax. To the Committee on Judiciary.

By Mr. Smith of Peterborough, House Bill No. 30, An act in amendment of Sections 10 and 12 of Chapter 65 of the Public Statutes and the repeal of Sections 15 and 16 of said Chapter 65 entitled "Taxation of savings banks and fire insurance companies" etc. To the Committee on Ways and Means.

By Mr. Smith of Peterborough, House Bill No. 31, An act to amend Section 13 and repeal Sections 14, 15, 16 and 17 of Chapter 64 of the Public Statutes entitled "Taxation of railroads and telegraph and telephone lines." To the Committee on Ways and Means.

By Mr. Murdock of Hill, House Bill No. 32, An act in amendment of Chapter 151 of the Laws of 1921 entitled "An act to promote the public health by providing protection for maternity and infancy." To the Committee on Public Health.

By Mr. Garneau of Franklin, House Bill No. 33, An act relating to Sunday baseball. To the Committee on Revision of Statutes.

By Mr. Lyford of Concord, House Joint Resolution No. 6, Joint resolution in relation to a gift to the State of New Hampshire by Benjamin A. Kimball of his homestead premises in Concord for use as a Governor's Mansion.

The first reading having commenced, on motion of Mr. Lyford of Concord, the further reading was dispensed with. The Joint resolution was then read a second time by its title laid on the table to be printed, and referred to the Committee on Judiciary.

By Mr. Lyford of Concord, House Joint Resolution No. 7, Joint resolution in relation to a gift to the state of New Hampshire by Benjamin A. Kimball of his homestead premises in Concord for use as a Governor's Mansion.

The first reading having commenced, on motion of Mr. Lyford of Concord, the further reading was dispensed with. The Joint resolution was then read a second time by its title, laid on the table to be printed, and referred to the Committee on Judiciary.

By Mr. Lewis of Newport, House Joint Resolution No. 8, Joint resolution in favor of changing the name of the highway known as "West Side Road" to the "Dartmouth College Road."

The first reading having commenced, on motion of Mr. Lee of Concord the further reading was dispensed with. The Joint resolution was then read a second time by its title, laid on the table to be printed, and referred to the Committee on Public Improvements.

#### HOUSE RESOLUTION.

By Mr. Normandin of Laconia in favor of seating John H. Laycock in the House of Representatives.

Read a first and second time and referred to the Committee on Elections.

On motion of Mr. Kenney of Manchester it was voted that when the House adjourns today at the end of the morning session it adjourn until January 12, at 9.30 A. M. and from that time until January 15, at 7.30 P. M.

On motion of Mr. Kenney of Manchester at 11.48 the House adjourned.

FRIDAY, JANUARY 12, 1923.

The House met at 9.30 o'clock.

On motion of Mr. Duncan of Jaffrey, at 9.31 the House adjourned.

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MONDAY, JANUARY 15, 1923.

The House met at 7.30 P. M.

On motion of Mr. Martin of Concord at 7.31 the House adjourned.

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TUESDAY, JANUARY 16, 1923.

The House met at 11 A. M.

Prayer was offered by the chaplain.

LEAVES OF ABSENCE.

The following leaves of absence were granted:

Messrs. Blais of Berlin, Deal of Piermont, Cilley of Manchester, Randall of Hampstead were granted leave of absence for the week on account of illness.

Messrs. Larochelle of Berlin, Smith of Berlin, Blake of Gilsun were granted leave of absence for the week on account of important business.

QUALIFICATION OF MEMBERS.

Representatives Arthur A. Pelletier of Nashua and Patrick L. O'Connor of Hinsdale, having duly qualified before His Excellency, the Governor, appeared and took their seats.

CHANGE OF REFERENCE TO COMMITTEE.

On motion of Mr. Martin of Concord, House Bill No. 2, An act in amendment of Chapter 121, Session Laws of 1921, relating to interest and usury, was taken from the Committee on Revision of Statutes and referred to the Committee on Judiciary.

## INTRODUCTION OF BILLS.

The following bills were introduced, read a first and second time, laid on the table to be printed, and referred as follows:

By Mr. Wheeler of Nashua, House Bill No. 34, An act in amendment of Chapter 271 of the Public Statutes. To the Committee on Revision of Statutes.

By Mr. Wheeler of Nashua, House Bill No. 35, An act in amendment of Chapter 121, Section 1, Laws of 1919, relating to the fiduciary powers of banks and trust companies. To the Committee on Judiciary.

By Mr. Dodge of Concord, House Bill No. 36, An act in amendment of Section 40 of the business corporation law. To the Committee on Judiciary.

By Mr. Dodge of Concord, House Bill No. 37, An act in amendment of Section 1 of the business corporation law. To the Committee on Judiciary.

By Mr. Dodge of Concord, House Bill No. 38, An act to authorize licensing public utilities to exercise rights on public lands. To the Committee on Judiciary.

By Mr. Collins of Bristol, House Bill No. 39, An act relating to the issue of bonds by the Union School District No. 2 of the town of Bristol. To the Committee on Judiciary.

By Mr. Doyle of Nashua, House Bill No. 40, An act in amendment of Chapter 251, Section 1 of the Public Statutes relating to search warrants. To the Committee on Revision of Statutes.

By Mr. Martin of Concord, House Bill No. 41, An act to provide for a revision of the public laws. To the Committee on Judiciary.

By Mr. Kane of Portsmouth, House Bill No. 42, An act in amendment of Chapter 55 of the Public Statutes as amended by Chapter 82 of the Laws of 1913 and Chapter 91 of the Laws of 1919 and Chapter 4 of the special session of 1919 relating to poll tax. To the Committee on Ways and Means.

By Mr. Lee of Concord, House Bill No. 43, An act in amendment of Section 3, Chapter 193, Laws of 1917, relating

to the appointment of banks and trust companies as trustees. To the Committee on Judiciary.

By Mr. Dodge of Concord, House Bill No. 44, An act to authorize the discontinuance of state highways. To the Committee on Judiciary.

By Mr. Cobleigh of Nashua, House Bill No. 45, An act in amendment of Section 2, Chapter 55 of the Public Statutes in encouragement of home building. To the Committee on Ways and Means.

By Mr. Spillane of Nashua, House Bill No. 46, An act in amendment of Section 1, Chapter 87 of the Public Statutes, in relation to the maintenance of bastard children. To the Committee on Revision of Statutes.

By Mr. Cobleigh of Nashua, House Bill No. 47, An act in amendment of Section 12 of Chapter 84 of the Public Statutes, relating to poor persons. To the Committee on Revision of Statutes.

By Mr. Sanborn of Bradford, House Bill No. 48, An act in amendment of Chapter 133, Laws of 1915, and Chapter 152, Laws of 1919, with reference to fishing through the ice. To the Committee on Fish and Game.

By Mr. Smith of Peterborough, House Bill No. 49, An act to enlarge the powers of the bureau of labor.

The first reading having commenced, on motion of Mr. Newton of Concord, the further reading of the bill was dispensed with. The bill was then read a second time by its title and referred to the Committee on Labor.

By Mr. Hoyt of Sandwich, House Bill No. 50, An act in amendment of Section 4, Chapter 168, Laws of 1913, relating to the state highway from Merrimack Valley Road to East Side Route. To the Committee on Roads, Bridges and Canals.

By Mr. Getz of Manchester, House Bill No. 51, An act in amendment of Section 9 of Chapter 153, Laws of 1909, as amended by Chapter 179, Laws of 1913, providing for the placing of the names of all party candidates at primaries upon the same ballot. To the Committee on Judiciary.

By Mr. Martin of Concord, House Bill No. 52, An act to

define, regulate and license real estate brokers and real estate salesmen; to create a state real estate commission and to provide a penalty for a violation of the provisions thereof.

The first reading having commenced, on motion of Mr. Martin of Concord, the further reading of the bill was dispensed with. The bill was then read a second time by its title, laid on the table to be printed, and referred to the Committee on Judiciary.

By Mrs. Caldwell of Portsmouth, House Bill No. 53, An act in amendment of Chapter 4 of the Laws of 1919 as passed by the Special Session of the Legislature in September 1919, relating to poll tax. To the Committee on Ways and Means.

By Mr. Smith of Peterborough, House Bill No. 54, An act authorizing the Union Congregational Church of Peterborough to hold and manage gifts, grants and legacies. To the Committee on Judiciary.

By Mr. Nay of Milan, House Joint Resolution, No. 9, Joint resolution for the construction of a highway in the Towns of Dummer and Milan. To the Committee on Roads, Bridges and Canals.

The first reading having commenced, on motion of Mr. Fernald of Dover, the further reading was dispensed with. The resolution was then read a second time by its title, laid on the table to be printed, and referred to the Committee on Roads, Bridges and Canals.

By Mr. Lord of Manchester, House Joint Resolution No. 10, Joint resolution in favor of William H. Knox and others.

The first reading having commenced, on motion of Mr. Lord of Manchester, the further reading was dispensed with. The resolution was then read a second time by its title and referred to the Committee on Appropriations.

By Mr. Lee of Concord, House Joint Resolution No. 11, Joint resolution to provide for the making of topographic maps of the State of New Hampshire.

Read a first time.

The second reading having commenced, on motion of Mr. Lee of Concord, the further reading of the Joint resolution



was dispensed with. The resolution was then read a second time by its title and referred to the Committee on Public Improvements.

#### COMMITTEE REPORT.

Mr. Normandin for the Committee on Judiciary to whom was referred House Bill No. 7, An act to legalize the Biennial Election held on the seventh day of November, 1922, in the town of Newbury, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the Bill ordered to a third reading.

Mr. Craig, under the Special Order for the Committee on Labor, to whom were referred House Joint Resolution No. 1 and No. 2, reported that the Committee had held two hearings and asked for an extension of time until Thursday, January 18, at 11.01. The extension was granted.

The following County Delegations announced their organization:

Coos County.

George E. Hutchins of Berlin,—Chairman.

Frank B. Pottle of Jefferson,—clerk.

Belknap County.

Fortunat E. Normandin of Laconia,—Chairman.

W. D. Kempton of Laconia,—clerk.

On motion of Mr. Kenney of Manchester at 12.35, the House adjourned.

#### AFTERNOON.

House met at 2 o'clock.

The following communication was read from the Secretary of State.

*To the Honorable Speaker of the House of Representatives:*

In accordance with a concurrent resolution of the legislature of 1921, in relation to the registers of deed and the registers of probate, I have the honor to submit the reports

as received from the various registers of deeds and registers of probate of the state to this date.

EDWIN C. BEAN,  
*Secretary of State.*  
 JANUARY 16, 1923.

On motion of Mr. Lyford of Concord it was voted that the communications and reports be printed in the Journal of the House.

### STATEMENT REGISTER PROBATE FOR THE COURT OF BELKNAP.

*July 1st, 1921 to January 1st, 1922.*

For Salary . . . . .	\$400.00
From State for Copies . . . . .	192.25
From Fees . . . . .	284.00
	<hr/>
	\$876.25

*January 1st, 1922 to January 1st, 1923.*

For Salary . . . . .	\$800.00
From State for Copies . . . . .	336.25
From Fees . . . . .	645.00
	<hr/>
	\$1,781.25

THOMAS C. HILL,  
*Register of Probate.*

### REPORT FOR CARROLL COUNTY.

OSSIPEE, N. H., DECEMBER 30, 1922.

*Hon. Edwin C. Bean,*  
*Secretary of State,*  
*Concord, N. H.*

DEAR SIR:—

Agreeable to a resolution passed by the House of Representatives and the Senate concurring, April 14, 1921;

I hereby submit to you a report of the receipts of fees

and expenses in the official conduct of this office from July 1, 1921 to January 1, 1923:

Charles S. Miles (deceased) Register from July 1, 1921 to April 29, 1922 his receipts for fees during the above time, as his records appear:

Total receipts for fees, including fees from State Treasurer.....	\$558.58
Total receipts for fees, Violet M. Brown, Clerk from April 29, 1922 to May 31, 1922.....	30.00
Total receipts of Geo. B. Reed, Commissioner from May 31, 1922 to January 1, 1923.....	412.48
Total.....	<u>\$1,001.06</u>

Total expenses of Charles S. Miles (deceased) July 1, 1921 to April 29, 1922, taken from best information obtainable, no record found	\$240.00
Total expenses of Geo. B. Reed, Commissioner May 31, 1922 to January 1, 1923.....	61.50
Total.....	<u>\$301.50</u>

Respectfully submitted,

GEORGE B. REED,

*Commissioner to perform the duties of Register of Probate.*

KEENE, N. H., JANUARY 2, 1923.

The Register of Probate for the County of Cheshire submits the following report of fees received from the office for the period from July 1, 1921, to January 1, 1923.

General fees, for one and one half year,	\$607.25	
Fees for copies Inheritance Tax work,	723.25	
	<u>          </u>	\$1,330.50
Clerk hire, July 1, 1921 to January 1, 1923.		\$685.50

Respectfully submitted,

ELLA F. GEE,

*Register.*

## REPORT FOR ROCKINGHAM COUNTY.

EXETER, JANUARY 1, 1923.

*The Secretary of State,  
Concord, N. H.*

DEAR MR. SECRETARY:—

Complying with concurrent resolution passed by the legislature April 14, 1921, I append the total amounts received and expenses paid by me in the conduct of the official business of this registry for the period beginning July 1, 1921 and ending January 1, 1923, to wit:—

Whole amount received . . . . .	\$2,818.75
Whole amount paid . . . . .	\$669.50

Sincerely yours,

ROBERT SCOTT,  
*Register.*

## REPORT FOR SULLIVAN COUNTY.

NEWPORT, JANUARY 1, 1923.

*Hon. Edwin C. Bean,  
Secretary of State,  
Concord, N. H.*

DEAR SIR:—

Enclosed please find record of fees received, and expenses paid by this office, from July 1, 1921 to January 1, 1923.

Total fees received from July 1, 1921 to January	
1, 1923 . . . . .	\$1,322.50
Total expenses paid out . . . . .	\$1,170.00

Very truly yours,

HARRY E. JAMESON,  
*Register of Probate for Sullivan County.*

## REPORT FOR GRAFTON COUNTY.

WOODSVILLE, JANUARY 1, 1923.

R. T. Bartlett, Register of Probate for Grafton County has  
 collected in fees. . . . . \$1,687.50  
 Paid for help, traveling expenses, hotel, etc. . . . \$1,622.25

The foregoing is a true statement to the best of my ability  
 to make it so.

R. T. BARTLETT.

## STATE OF NEW HAMPSHIRE.

GRAFTON SS.

JANUARY 11, 1923.

Then personally appeared the above named R. T. Bartlett and made oath that the foregoing statement by him made was true to the best of his ability to make the same.

Before me,

DEXTER D. DOW.

*Justice of the Peace.*RECEIPTS AND EXPENDITURES OF REGISTER OF  
PROBATE FOR HILLSBOROUGH COUNTY.

## CASH RECEIVED.

## 1921.

July . . . . .	\$235.00
August . . . . .	120.70
September . . . . .	552.75
October . . . . .	204.25
November . . . . .	168.75
December . . . . .	453.75

## 1922.

January . . . . .	\$271.25
February . . . . .	102.00
March . . . . .	473.01

April.....	\$330.00
May.....	278.75
June.....	494.25
July.....	246.75
August.....	111.25
September.....	685.70
October.....	257.35
November.....	111.50
December.....	461.52
<hr/>	
Total.....	\$5,558.53
Cash from State.....	2,250.00
<hr/>	

\$7,808.53

CASH PAID.

*Help in Office.*

Extra for Deputy.....	\$1,050.00
For girl No. 1.....	1,560.00
“ “ “ 2.....	575.00
“ “ “ 3.....	200.00
Expenses at courts.....	35.00
<hr/>	
Total.....	\$3,420.00

Furnishings for the office are paid by the Commissioners.

REPORT FOR MERRIMACK COUNTY.

CONCORD, JANUARY 11, 1923.

*Hon. Edwin C. Bean,*  
*Secretary of State,*  
*Concord, N. H.*

DEAR SIR:—

In accordance with a request contained in a resolution passed at the New Hampshire legislative session of 1921, I make the following return:

Salary and fees from July 1, 1921 to January 1, 1923 (18 months) . . . . .	\$5,286.60
Expenditures . . . . .	Nil.

Yours respectfully,

I. EUGENE KEELER.

Receipts and Expenditures of William W. Martin Register of Probate for Strafford County, for 18 months from July 1, 1921 to January 1, 1923.

Salary for 18 months . . . . .	\$1,800.00
To amount received from State for copies from July 1, 1921 to Jan. 1, 1923:	
From July 1, 1921 to Sept. 1, 1921 . . . . .	90.50
“ Sept. 1, 1921 to Dec. 1, 1921 . . . . .	129.25
“ Dec. 1, 1921 to Mar. 1, 1922 . . . . .	129.50
“ Mar. 1, 1922 to June 1, 1922 . . . . .	153.25
“ June 1, 1922 to Sept. 1, 1922 . . . . .	132.00
“ Sept. 1, 1922 to Dec. 1, 1922 . . . . .	109.25
“ Dec. 1, 1922 to Jan. 1, 1923 . . . . .	51.00
	<hr/>
	\$794.75

To amount received for office copies, certificates,  
etc.:

*1921.*

July . . . . .	\$74.00
Aug. . . . .	42.25
Sept. . . . .	42.00
Oct. . . . .	54.75
Nov. . . . .	50.00
Dec. . . . .	76.25

*1922.*

Jan. . . . .	\$129.25
Feb. . . . .	38.75
Mar. . . . .	62.25
Apr. . . . .	57.50

May.....	\$74.00
June.....	36.00
July.....	19.75
Aug.....	63.00
Sept.....	51.75
Oct.....	37.50
Nov.....	47.50
Dec.....	47.00

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\$1,003.50

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Total..... \$3,598.25

Expenditures:

Clerk hire for 18 months.....	\$375.00
Extra clerk hire.....	40.00
Carfare, dinners, etc., attending courts.....	30.25

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\$445.25      \$445.25

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Total amount received..... \$3,153.00

*Summary.*

Total amount received.....	\$3,598.25
Expenditures.....	445.25
	<hr/>
	\$3,153.00

DOVER, N. H., JANUARY 8, 1923.

Subscribed and sworn to,

Before me,

GEORGE G. WELCH,  
*Justice of the Peace.*



## REPORT FOR BELKNAP COUNTY.

LACONIA, JANUARY 15, 1923.

*Hon. Edwin C. Bean,  
Secretary of State,  
Concord, New Hampshire.*

DEAR SIR:—

Pursuant to Concurrent Resolution Legislative Session 1921, relative to account of fees of Registers, beg to advise that the total fees received at this office from July 1st, 1921 to January 1st, 1923 amounted to \$4,197.04, and the total expenses during said period were \$995.70, leaving a net balance for the entire period of \$3,201.34.

Very truly yours,

EDWARD L. LYDIARD,  
*Registrar.*

## REPORT FOR STRAFFORD COUNTY.

DOVER, JANUARY 8, 1923.

*Secretary of State,  
Concord, N. H.*

DEAR SIR:—

In accordance with concurrent resolution passed July 14, 1921 by the House of Representatives, Senate concurring, I furnish you below with report of recording fees received during the period beginning July 1, 1921 and ending January 1, 1923.

Total fees.....	\$2,826.56
Expenses	
Clerk Hire.....	\$953.00
Postage.....	17.52
Bond.....	37.50
	<hr/>
	\$1,008.02
	1,008.02
Net Income.....	\$1,818.54

Very truly yours,

GEORGE G. WELCH,  
*Register.*

## REPORT FOR ROCKINGHAM COUNTY.

EXETER, JANUARY 1, 1923.

*The Secretary of State,  
Concord, N. H.*

DEAR SIR:—

In accordance with the resolution passed at the last session of the Legislature, I herewith hand you my report.

Total fees received from July 1, 1921 to January

1, 1923 . . . . .	\$6,746.90
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Total expenditures:

Clerk hire . . . . .	\$1,762.25
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Postage . . . . .	105.00
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Yours truly,

JOHN W. A. GREEN.

## REPORT FOR SULLIVAN COUNTY.

NEWPORT, JANUARY 2, 1923.

*Hon. Edwin C. Bean, Secretary,  
Concord, N. H.*

DEAR SIR:—

In reply to the circular of April 14, 1921, in regard to fees from July 1, 1921, to January 1, 1923. I have received as follows:

Fees, \$3,530.09 and paid for help during that period . . . . .	\$1,170.00
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Received of the County for Current Business	
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(Carding) . . . . .	\$107.00
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Yours truly,

CHARLES W. ROUNSEVEL,  
*Register.*

## REPORT FOR CHESHIRE COUNTY.

KEENE, N. H., JANUARY 2, 1923.

*Secretary of State,  
Concord, N. H.*

DEAR SIR:—

In compliance with a Concurrent Resolution of the Legislature passed April 14, 1921, I report as follows:

Fees received from July 1, 1921 to Jan. 1, 1923	\$4,583.53
Expenses . . . . .	1,695.28
	<hr/>
Balance . . . . .	\$2,888.25

Respectfully submitted,

WINFIELD M. CHAPLIN,  
*Commissioner to perform the duties of Register of Deeds.*

## REPORT FOR CARROLL COUNTY.

OSSIPEE, JANUARY 2, 1923.

*Secretary of State,  
Concord, N. H.*

DEAR SIR:—

In compliance with the Concurrent Resolution passed by the General Court, April 14, 1921, wherein Registers of Deeds for the State of New Hampshire were ordered to report to the Secretary of State no later than Jan. 2, 1923, the total amount received for fees and expenses paid during the period comprising the eighteen months from July 1, 1921, to January 1, 1923, I hereby submit the following:

Fees received for eighteen months, July 1, 1921, to January 1, 1923 . . . . .	\$1,913.90
Expense nothing.	

Very truly yours,

CHARLES H. CARTER,  
*Commissioner Register of Deeds,*  
Carroll County, N. H.

## REPORT FOR GRAFTON COUNTY.

WOODSVILLE, JANUARY 3, 1923.

*Hon. Edwin C. Bean,*  
*Secretary of State,*  
*Concord, N. H.*

MY DEAR SIR:—

Conforming to the concurrent resolution passed at the 1921 session of the Legislature, as per Journal of the House, 1921, page 712, beg leave to submit my report of the total receipts for fees and total amount as paid for expenses, at the office of the Register of Deeds for the County of Grafton:

Receipts for Fees: From July 1, 1921, to Dec.

31, 1922.....	\$7,195.03
Expenses: Salaries, etc.....	3,015.55

Respectfully submitted,

W. J. RANDOLPH,  
*Register of Deeds,*  
 County of Grafton.

## REPORT FOR MERRIMACK COUNTY.

CONCORD, JANUARY 3, 1923.

*Hon. Edwin C. Bean,*  
*Secretary of State,*  
*Concord, N. H.*

DEAR SIR:—

Pursuant to a concurrent resolution passed April 14, 1921, I herewith submit a statement of the receipts and expenditures for the office of Register of Deeds, Merrimack County, for the period beginning July 1, 1921 and ending January 1, 1923.

## RECEIPTS.

Official business.....	\$6,148.93
Unofficial business.....	2,313.40

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Total.....	\$8,462.33
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## EXPENDITURES.

Total..... \$3,442.37

Yours very truly,

EDMUND H. BROWN,  
*Register.*

## REPORT FOR HILLSBOROUGH COUNTY.

NASHUA, JANUARY 2, 1923.

Statement of receipts and expenditures of the Hillsborough County Register of Deeds office, from July 1, 1921 to January 1, 1923.

Total receipts for recording, making copies,  
etc., from July 1, 1921 to January 1, 1923.. \$9,984.90  
Expenditures of the office during same period, 4,263.00

Respectfully submitted,

CALVIN R. WOOD,  
*Register.*

## REPORT FOR COOS COUNTY.

JANUARY 15, 1923.

*Edwin C. Bean,*  
*Secretary of State,*  
*Concord, N. H.*

DEAR SIR.—

Yours of the 10th, relative to report of receipts and expenditures pertaining to this office received.

The receipts of this office for the period beginning July 1st, 1921 to Jan. 1, 1923 were \$4,950.36 and the expenditures which includes clerk hire, postage, etc., being \$873.61. This may not be absolutely accurate, but is not far out of the one way or the other.

Will say in connection with this that the above amount includes the fees for recording and also fees for title or abstract work. Most of the work of this nature in which

various banks and real estate men are interested, being turned over for the register to do, and also most of the lawyers give this work to the register to do as they would rather devote their time to other things.

Yours very truly,

F. R. LANGWORTHY,

*Register.*

#### REGISTER OF DEEDS.

	<i>Receipts</i>	<i>Expenditures</i>
Rockingham County	\$6,746.90	\$1,867.25
Strafford        "	2,826.56	1,008.02
Belknap         "     (18 months)	4,197.04	995.70
Carroll         "	1,913.90	.....
Merrimack       "	6,148.93	2,313.40
Hillsboro       "	9,984.90	4,263.00
Cheshire         "	4,583.53	1,695.28
Sullivan         "	3,530.09	1,170.00
Grafton         "	7,195.03	3,015.55
Coos             "	.....	.....

#### REGISTER OF PROBATE.

	<i>Receipts</i>	<i>Expenditures</i>
Rockingham County	\$2,818.75	\$669.50
Strafford       "	3,598.25	445.25
Belknap         "	1,781.25	.....
Carroll         "	1,001.06	301.50
Merrimack       "	5,286.60	.....
Hillsboro       "	7,808.53	3,420.00
Cheshire         "	1,330.50	685.50
Sullivan         "	1,322.50	1,170.00
Grafton         "	1,687.50	1,622.25
Coos             "	.....	.....

#### COMMITTEE ANNOUNCEMENTS.

The Committee on Appropriations by Mr. Barry of Nashua, announced its organization with the election of Mr. Harry T. Lord of Manchester as clerk.

The Strafford County delegation announced its organization by the election of Mr. Gelinas of Rochester as Chairman, and Mr. Lawrence of Middleton as clerk.

On motion of Mr. Sibley of Manchester at 2.35 the House adjourned.

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## WEDNESDAY, JANUARY 17, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

On motion of Mr. Kenney of Manchester it was:

*Resolved:* That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in convention at 12 o'clock noon, today, for the purpose of proceeding to the election of a Secretary of State, State Treasurer, and Commissary-General.

## LEAVES OF ABSENCE.

Mr. Ordway of Milford was granted leave of absence for the day on account of important business.

## REPORTS OF COMMITTEES.

The Committee on Elections presented a unanimous report that George I. Philbrick of Freedom and John Laycock of Laconia should be seated in the House of Representatives. The report was accepted and Messrs. Philbrick and Laycock having duly qualified before His Excellency the Governor appeared and took their seats.

Mr. Hardy of Hollis for the Committee on Agriculture to whom was referred House Joint Resolution No. 5, A joint resolution appropriating money for purposes of continuing the work of eradicating bovine tuberculosis and controlling and suppressing contagious and infectious disease among domestic animals, reported the same with the recommendation that the Joint Resolution ought to pass. The report was accepted and the resolution referred to the Committee on Appropriations under the rules.

## COMMITTEE ORGANIZATIONS.

The following committee organizations were reported:

State Prison.—Land of Haverhill, Chairman.

McDuffee of Rochester, clerk.

State Hospital.—Sanborn of Bradford, Chairman.

Hoyt of Francestown, clerk.

Agricultural College.—Comings of Lee, Chairman.

Fogg of Durham, clerk.

Elections.—Ladd of Epping, Chairman.

Wood of Stewartstown, clerk.

Mr. Thayer of Concord having qualified before His Excellency the Governor, appeared and took his seat.

## INTRODUCTION OF BILLS.

The following bills were introduced, read a first and second time, laid on the table to be printed, and referred as follows:

By Mr. Ford of Amherst, House Bill No. 55, An act to legalize the biennial election held on the seventh day of November 1922, in the town of Amherst. To the Committee on Judiciary.

By Mr. Hoyt of Sandwich, House Bill No. 56, An act in amendment of Section 3, Chapter 29, Laws of 1893, as amended by Section 1, Chapter 67, Laws of 1897, Section 1, Chapter 14, Laws of 1913, Section 1, Chapter 171, Laws of 1915, and Section 1, Chapter 49, Laws of 1917, relating to highway agents. To the Committee on Judiciary.

The first reading having commenced, on motion of Mr. Hoyt of Sandwich, the further reading of the bill was dispensed with. The bill was then read a first and second time by its title, laid on the table to be printed, and referred to the Committee on Judiciary.

By Mr. Wells of Walpole, House Bill No. 57, An act for the better protection of sheep. To the Committee on Agriculture.

By Mr. Spillane of Nashua, House Bill No. 58, An act in amendment of Section 13, of Chapter 133 of the Laws of



1911, relating to the operation of motor trucks on public highways. To the Committee on Revision of Statutes.

By Mr. Lyford of Concord, House Bill No. 59, An act to amend an act to establish a corporation by the name of the trustees of the New Hampshire Conference Seminary and the New Hampshire Female College, approved December 29, 1852, and other acts amending the same. To the Committee on Judiciary.

By Mr. King of Walpole, House Bill No. 60, An act to legalize the biennial election held on the seventh day of November 1922, in the Town of Langdon. To the Committee on Judiciary.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate had passed the following resolution:

*Resolved*, That the Senate meet the House of Representatives in joint convention at 12 o'clock noon, today, for the purpose of proceeding to the election of a Secretary of State, State Treasurer and Commissary-General.

#### INTRODUCTION OF BILLS.

The following bills were introduced, read a first and second time, laid on the table to be printed, and referred as follows:

By Mr. Phillips of Concord, House Bill No. 61, An act amending Section 4 of Chapter 305 of the Laws of 1909, relating to the revision of the charter of the city of Concord.

On motion of Mr. Lyford the bill was referred to a Special Committee consisting of the Concord Delegation.

On motion of Mr. Price of Lisbon, it was voted that the remaining bills be read a first time by title only under a suspension of the rules.

By Mr. Wheeler of Nashua, House Bill No. 62, An act to amend the charter of the Nashua Protestant Home for Aged Women. To the Committee on Judiciary.

By Mr. Huntley of Marlow, House Bill No. 63, An act to legalize the biennial election held on the seventh day of

November 1922, in the Town of Marlow. To the Committee on Judiciary.

By Mr. Blais of Manchester, House Bill No. 64, An act in amendment of paragraph 1, Section 2, Chapter 228, Laws of 1917, entitled "An act to license and regulate the business of making loans in sums of three hundred dollars or less, at a greater rate of interest than six per cent per annum prescribing the rate of interest the charge therefor, and penalties for the violation thereof." To the Committee on Judiciary.

By Mr. Barry of Charlestown, House Bill No. 65, An act to establish a continuous trunk line highway from the Vermont State line at North Walpole to the West Side Road in Lebanon. To the Committee on Roads, Bridges and Canals.

By Mr. Farmer of Hampton Falls, House Bill No. 66, An act relating to trespasses upon improved land. To the Committee on Agriculture.

By Mr. Empey of Keene, House Bill No. 67, An act in amendment of sub-division XIII, Section 10, Chapter 50 of the Public Statutes, relating to Powers of City Councils. To the Committee on Judiciary.

By Mr. Pottle of Jefferson, House Bill No. 68, An act to establish a continuous highway from the West Side Road in the town of Carroll to the Gorham Hill Road in the town of Randolph. To the Committee on Roads, Bridges and Canals.

By Mr. Glynn of Newport, House Bill No. 69, An act to enable the town of Newport, New Hampshire to refund its indebtedness. To the Committee on Judiciary.

By Mr. Craig of Manchester, House Bill No. 70, An act in amendment of Chapter 346, Laws of 1913, as amended by Chapter 275, Laws of 1921, "An act authorizing the City of Manchester to provide pensions for firemen."

On motion of Mr. Craig of Manchester, the bill was referred to a Special Committee consisting of the Manchester Delegation.

By Mr. Craig of Manchester, House Bill No. 71, An act to create a board for the preliminary examination of all persons who desire to practice medicine, surgery, osteopathy,

chiropractice or any other form of healing. To the Committee on Public Health.

By Mr. Robinson of Newport, House Bill No. 72, An act relating to the powers and duties of the State Tax Commission. To the Committee on Judiciary.

By Mr. Jewett of Laconia, House Bill No. 73, An act in amendment of Section 13 of Chapter 191 of the Public Statutes, relating to suits by and against administrators. To the Committee on Judiciary.

By Mr. Jones of Alton, House Bill No. 74, An act relating to the collection of debts for food, fuel, clothing and other necessities of life. To the Committee on Revision of Statutes.

By Mr. Callahan of Keene, House Bill No. 75, An act relating to deceptive, or misleading advertisements, publications or statements. To the Committee on Judiciary.

On motion of Mr. Fernald of Dover the clerk was instructed to procure 500 extra copies of House Bill No. 8.

On motion of Mr. Lyford of Concord the further reading of bills was suspended until after the Joint Convention.

## IN CONVENTION.

The Honorable Senate then came in and the two branches being in convention:

On motion of Mr. Kenney of Manchester:

*Resolved*, that the convention proceed to the election by ballot of the following officers: Secretary of State, State Treasurer and Commissary-General.

The chair appointed Senator Coulombe, and Messrs. Cobleigh of Nashua and Quinn of Manchester a committee to receive, sort and count the votes.

The convention then proceeded to the election of a Secretary of State.

The committee reported as follows:

Total votes cast . . . . .	416
Necessary for choice . . . . .	209
Edwin C. Bean had . . . . .	189
Enos K. Sawyer had . . . . .	227

The report was accepted, and Enos K. Sawyer having a majority of all votes cast was declared duly elected Secretary of State.

The ballots having been cast for State Treasurer the Committee reported as follows:

Total votes cast . . . . .	405
Necessary for choice . . . . .	203
John W. Plummer had . . . . .	179
George E. Farrand had . . . . .	226

The report was accepted and George E. Farrand having a majority of all the votes cast was declared duly elected State Treasurer.

On motion of Mr. Lyford of Concord it was voted that Mr. Kenney of Manchester be instructed to cast one ballot for Kevin B. Dwyer for Commissary-General.

This having been done Kevin B. Dwyer was declared duly elected Commissary-General.

On motion of Mr. Lyford of Concord the Convention then rose.

## HOUSE.

On motion of Mr. Lyford of Concord the House at 12.15 took a recess for one hour.

(After Recess.)

The House met at 1.15.

The introduction of bills and joint resolutions was resumed.

The following bills were introduced, read a first and second time by title laid on the table to be printed, and referred as follows:

By Mr. Griffin of Berlin, House Bill No. 76, An act in amendment of Section 16, Chapter 155, Laws of 1921, relating to the permanent construction of highway bridges throughout the State. To the Committee on Roads, Bridges and Canals.

By Mr. Cotton of Warren, House Bill No. 77, An act to

legalize the biennial election held on the seventh day of November 1922, in the town of Warren. To the Committee on Judiciary.

By Mr. Jewett of Laconia, House Bill No. 78, An act in amendment of Section 1, Chapter 76, Laws of 1897, relating to Hawkers and Peddlers. To the Committee on Judiciary.

By Mr. Sibley of Manchester, House Bill No. 79, An act in amendment of Section 7 of Chapter 58 of the Laws of 1915 entitled an act creating a Board of Bank Commissioners and abolishing the office of State Auditor. To the Committee on Judiciary.

By Mr. Spaulding of Hudson, House Bill No. 80, An act to establish a continuous highway from the junction of the Hudson-Derry Road in the town of Hudson to the Massachusetts line at Tyngsboro. To the Committee on Public Improvements.

By Mr. Kidder of Rumney, House Bill No. 81, An act authorizing the town of Rumney to raise money by taxation for the care of cemeteries. To the Committee on Judiciary.

By Mr. Davison of Haverhill, House Bill No. 82, An act in amendment of Section 5 of Chapter 46 of the Laws of 1897 relating to the license fee of Itinerant vendors. To the Committee on Judiciary.

By Mr. Wheeler of Atkinson, House Bill No. 83, An act for improving instruction in rural schools. To the Committee on Education.

By Mr. Brooks of Claremont, House Bill No. 84, An act authorizing the town of Claremont to renew and extend its water bonds. To the Committee on Judiciary.

By Mr. Chick of Madison, House Bill No. 85, An act to regulate the use of the waters in Silver Lake, in Madison. To the Committee on Revision of Statutes.

The following Joint Resolutions were introduced and read a first time. In each case after the second reading was begun, on motion of Mr. Fernald of Dover, it was voted to dispense with the further reading under a suspension of the rules, and resolutions referred as follows:

By Mr. Fadden, of Thornton, House Joint Resolution No. 12, Joint resolution for the repair of the Sandwich Notch Road in the town of Thornton. To the Committee on Roads, Bridges and Canals.

By Mr. Kendall of Concord, House Joint Resolution No. 13, Joint resolution in favor of Hubert J. Kennedy. To the Committee on Claims.

By Mr. Pottle of Jefferson, House Joint Resolution No. 14, Joint resolution for the permanent construction of the highway in the town of Jefferson, leading from the Carroll Town line to the Gorham Hill Road near Bowman's. To the Committee on Roads, Bridges and Canals.

By Mr. McHugh of Gorham, House Joint Resolution No. 15, Joint resolution for the construction of a highway in the town of Gorham. To the Committee on Roads, Bridges and Canals.

By Mr. Willey of Brookfield, House Joint Resolution, No. 16, Joint resolution for the repair and improvement of Tibbetts Hill and Tumbledown Dick Roads in the Town of Brookfield. To the Committee on Roads, Bridges and Canals.

On motion of Mr. Dowdell of Portsmouth it was voted that the clerk be instructed to procure 500 extra copies of House Bill No. 52.

On motion of Mr. Sibley of Manchester at 2.59 the House adjourned.

## AFTERNOON.

The House met at 3.00 P. M.

## THIRD READINGS.

House Bill No. 7, An act to legalize the Biennial Election held on the seventh day of November, 1922, in the town of Newbury.

Read a third time, passed and sent to the Senate for concurrence.

## COMMITTEE ORGANIZATIONS.

The following committee organizations were announced:

Judiciary . . . . .	Jewett of Laconia,—clerk.
Revision of Statutes . . . . .	Cobleigh of Nashua,—clerk.
Insurance . . . . .	Grimes of Boscawen,—clerk.
Liquor Laws . . . . .	Ross of Lebanon,—clerk.
Industrial School . . . . .	Taylor of Unity,—clerk.
School for Feeble Minded . . . . .	Hunt of Carroll,—clerk.
Fish and Game . . . . .	Robinson of Newport,—clerk.
Railroads . . . . .	French of Laconia,—clerk.
Incorporations . . . . .	Walker of New Ipswich,—clerk.
Claims . . . . .	MacMurphy of Derry,—clerk.

On motion of Mr. Sibley of Manchester at 3.05 the House adjourned.

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THURSDAY, JANUARY 18, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

## LEAVES OF ABSENCE.

Messrs. Comings of Lee, Sims of Columbia, Frizzell of Colebrook, Sawtelle of Rindge, Chandler of Conway, were granted leave of absence for the week on account of business.

Mr. Wright of Sanbornton was granted leave of absence for the day on account of illness.

The Chair designated the following tellers:

Div. 1,—Blais of Manchester.

Div. 2,—Rollins of Andover.

Div. 3,—Doyle of Nashua.

Div. 4,—Lee of Concord.

Div. 5,—Cheney of Concord.

## COMMITTEE ORGANIZATIONS.

The following committee organizations were announced:

Committee on Banks,—Charles F. Butler of Hillsborough, clerk.

Committee on Manufactures,—Herrick Aiken of Franklin, clerk.

Committee on Public Improvements,—Ralph H. Gilchrist of Henniker, clerk.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED.

The following bills were introduced and the first reading having commenced, on motion of Mr. Fernald of Dover, the further reading of the bills was dispensed with. The bills were then read a first and second time by title, laid on the table to be printed, and referred as follows:

By Mr. Tenney of Claremont, House Bill No. 86, An act amending Section 10 of Chapter 79 of the Public Statutes, enabling towns and village districts to establish boards of sewer commissioners. To the Committee on Revision of Statutes.

By Mr. Sibley of Manchester, House Bill No. 87, An act regarding construction of buildings. To the Committee on Labor.

By Mr. Sibley of Manchester, House Bill No. 88, An act regarding care of buildings. To the Committee on Public Health.

By Mr. Reynolds of Dover, House Bill No. 89, An act in amendment of Chapter 205, Laws of 1913, entitled: "An act to control the further pollution of streams, lakes and rivers and the protection of water supplies." To the Committee on Revision of Statutes.

By Mr. Weston of Hancock, House Bill No. 90, An act in amendment of Section 1, Chapter 93, Laws of 1911, relating to bounties on hedgehogs. To the Committee on Fish and Game.

By Mr. Harris of Orford, House Bill No. 91, An act to repeal Chapter 7, of the Session Laws of 1907, entitled: "An act to amend Chapter 11 of the Session Laws of 1899 concerning Holidays." To the Committee on Revision of Statutes.

By Mr. Spring of Chesterfield, House Bill No. 92, An act legalizing the biennial election held in the Town of



Chesterfield November seventh, 1922. To the Committee on Judiciary.

By Mr. Mooney of Littleton, House Bill No. 93, An act providing for the election of selectmen. To the Committee on Revision of Statutes.

By Mr. Pierce of Claremont, House Bill No. 94, An act to maintain the purity of butter, cream and dairy products. To the Committee on Public Health.

By Mr. Pierce of Claremont, House Bill No. 95, An act relating to the by-products of creameries, cheese factories, milk plants, skimming stations, condensing plants, and other milk processing plants. To the Committee on Public Health.

By Mr. Farmer of Hampton Falls, House Bill No. 96, An act relating to the Inspection of Apiaries. To the Committee on Agriculture.

By Mr. Farmer of Hampton Falls, House Bill No. 97, An act to amend Chapter 227, Laws of 1917, regulating the grading, packing, shipping and sale of apples. To the Committee on Agriculture.

By Mr. Nourse of Littleton, House Bill No. 98, An act to legalize acts of the Town of Littleton locating and constructing a bridge across the Ammonoosuc River, condemning land to protect its water supply, and borrowing money to pay for the same, and authorizing said Town to issue notes or bonds to fund and re-fund said indebtedness, and an outstanding or floating indebtedness. To the Committee on Judiciary.

By Mr. Gordon of New Hampton, House Bill No. 99, An act to establish a continuous highway from the Lake Sunapee Road at Bristol to the Daniel Webster Highway at Meredith. To the Committee on Public Improvements.

By Mr. Sullivan of Nashua, House Bill No. 100, An act in amendment of Chapter 147 of the Laws of 1915 relating to temporary absences of patients from the state hospital. To the Committee on Revision of Statutes.

By Mr. Jones of Alton, House Bill No. 101, An act in amendment of Section 55, Chapter 133, Laws of 1915 as

amended by Section 20, Chapter 184, Laws of 1917 and Chapter 146, Laws of 1919 and Chapter 93, Laws of 1921, to regulate the issuing of hunting licenses. To the Committee on Fish and Game.

By Mr. Gagne of Somersworth, House Bill No. 102, An act to amend Section 1 of Chapter 40 of the Laws of 1911 relating to taxation or assessment of land. To the Committee on Ways and Means.

By Mr. Carleton of Pelham, House Bill No. 103, An act to establish a continuous highway from Taylor Falls' Bridge in Hudson to the Rockingham Road in Salem. To the Committee on Roads, Bridges and Canals.

By Mr. Hill of Enfield, House Bill No. 104, An act relating to the display of advertising signs upon Trunk Line and State Roads. To the Committee on Public Improvements.

By Mr. Moore of Berlin, House Bill No. 105, An act in relation to taxation of stock in trade of manufacturers. To the Committee on Ways and Means.

The following Joint Resolutions were introduced, and read a first time. On motion of Mr. Fernald of Dover in each case after the second reading was begun, the further reading was dispensed with under a suspension of the rules, and the Resolutions read a second time by title, laid on the table to be printed and referred as follows:

By Mr. Hill of Enfield, House Joint Resolution No. 17, Joint resolution for the improvement of the Shaker Bridge in the Town of Enfield. To the Committee on Roads, Bridges and Canals.

By Mr. Collins of Bristol, House Joint Resolution No. 18, Joint resolution in favor of repairing Sugar Loaf Road in the Town of Alexandria. To the Committee on Roads, Bridges and Canals.

By Mr. Healey of Manchester, House Joint Resolution No. 19, Joint resolution providing for a laboratory in the City of Manchester. To the Committee on Public Health.

By Mr. Barrett of Bethlehem, House Joint Resolution No. 20, Joint resolution for the improvement of highway

in the town of Bethlehem leading from the Littleton Town line to the Whitefield Town line by the way of Wing Road. To the Committee on Roads, Bridges and Canals.

By Mr. Lord of Manchester, House Joint Resolution No. 21, Joint resolution providing for the care, treatment, and schooling of children subject to diseases calling for sanatorium treatment and unfitting them for public school attendance. To the Committee on Public Health.

#### COMMITTEE REPORTS.

Mr. Lyford for the Committee on Judiciary, to whom was referred House Joint Resolution No. 6, Joint resolution in relation to a gift to the State of New Hampshire by Benjamin A. Kimball of his homestead premises in Concord, for use as a Governor's Residence, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate as the subject matter is already covered by another resolution.

The report was accepted and the resolution adopted.

Mr. Lyford, for the Committee on Judiciary to which was referred House Joint Resolution No. 7, Joint resolution in relation to a gift to the State of New Hampshire by Benjamin A. Kimball of his homestead premises in Concord for use as a Governor's Residence, reported the same with the following resolution:

*Resolved*, That the Joint resolution ought to pass.

The report was accepted, the resolution adopted and on motion of Mr. Lyford of Concord, the rules were suspended, the resolution read a third time, passed and ordered to be sent to the Senate for concurrence.

Mr. Jewett, for the Committee on Judiciary to which was referred House Bill No. 17, An act providing for two additional Justices of the Superior Court, reported the same with the following resolution:

*Resolved*, That the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Craig, for the Committee on Labor to whom was

referred House Joint Resolution No. 2, Joint resolution Providing for a Fact-Finding Commission Relative to Proposed Legislation as to Hours of Labor, reported the same with the following Resolution:

*Resolved*, That the same is inexpedient to legislate.

The report was accepted and the resolution adopted.

The following majority and minority reports were filed as to House Joint Resolution No. 1.

By Mr. Craig, for the Committee on Labor to whom was referred House Joint Resolution No. 1, Joint resolution to provide for a commission to provide for an investigation of the facts pertaining to proposed 48-hour legislation for women and children in industry, reported the same with the following resolution:

*Resolved*, That the same is inexpedient to legislate.

The undersigned, a minority of the Committee on Labor, to whom was referred House Joint Resolution No. 1, Joint resolution to provide for a Commission to provide for an Investigation of the facts pertaining to proposed 48-hour legislation for women and children in Industry, having considered the same and being unable to agree with the majority, report the same with the recommendation that the Joint resolution as amended ought to pass.

Amend said House Joint Resolution No. 1 by striking out in the last paragraph of the same the words "forty-five days" and substituting in place thereof the words "thirty days"; so that said paragraph as amended shall read as follows:

"That such Commission shall make a report of its proceedings together with its recommendations if any to this Legislature within thirty days from the passage thereof."

AMOS J. COWAN.

KARL E. MERRILL.

ELBRIDGE W. SNOW.

GEO. A. WOOD.

JOHN G. WINANT.

R. B. STEVENS.

GEORGE H. McDUFFEE.

Mr. Wood of Portsmouth moved that the report of the minority be substituted for that of the majority, and that with that motion pending the two reports be laid on the table and made a Special Order for Tuesday, January 23, at 11.01.

Discussion on the motion ensued, in which Messrs. Barry of Manchester, Wood of Portsmouth, Kenney of Manchester, Craig of Manchester, Lee of Concord, Mortenson of Gorham, Callahan of Keene, took part.

Mr. Donnelly of Manchester moved the previous question.

The question being: Shall the previous question be now put?, the vote was in the affirmative and the previous question on the motion of Mr. Wood of Portsmouth ordered.

The question being: Shall the report of the minority be substituted for that of the majority and with that motion pending the two reports be laid on the table and made a Special Order for Tuesday, January 23, at 11.01?, Mr. Lyford of Concord called for a division.

A division being had it appeared:

For the motion . . . . . 138

Against the motion . . . . . 183

and the motion did not prevail.

The question being on the adoption of the majority report.

Discussion ensued in which Messrs. Wood of Portsmouth, Mortenson of Gorham, Newton of Concord, Snow of Whitefield, Moore of Berlin, Conboy of Manchester, Craig of Manchester, Bass of Peterborough, Duncan of Jaffrey, Lyford of Concord, Stevens of Landaff, Kenney of Manchester, Barry of Nashua and Tobey of Temple took part.

Mr. Newton of Concord moved the previous question.

The question being: Shall the majority report be accepted? Mr. Lyford called for a division.

A division being had it appeared:

For the acceptance of the report . . . 171

Against the acceptance of the report. 124

Mr. Bass of Peterborough called for the Yeas and Nays, and the roll was called with the following result:

YEAS, 184.

ROCKINGHAM COUNTY: Griffin of Auburn, Pike, Mac-Murphy, Senecal, Taylor, Merrill of Exeter, Pridham, Labranche, Rousseau, Wardman, Dowdell, Weeks of Portsmouth, Casey, Cronin, Cox of Portsmouth, Kane, Felch.

STRAFFORD COUNTY: Locke, Durkin, Howard of Dover, O'Neill, Jr., Janelle, Roberts of Dover, Ryan, Durnin, Lawrence, Gotts, Edgerly, Gelinis, Marcoux, Davis of Rollinsford, Girard, Cote, Gagne, Hanagan, Houle of Somersworth, Heon.

BELKNAP COUNTY: Jones of Alton, Holmes, Dunlap, Kempton, Normandin, French, Laycock, Roberts of Meredith, Sanborn of Tilton, Smith of Tilton.

CARROLL COUNTY: Hamlin, Chandler, Currier of Conway, Fulton, Philbrick, Fall, Thomas, Lord of Wakefield.

MERRIMACK COUNTY: Desroche, Rollins, Tallman, Dodge of Concord, Rolfe, Phillips, Martin of Concord, Carleton of Concord, Lee, Gannon, Garneau, Mahan, Judkins, Newton of Franklin, Chaney, LaSalle, Walker of Hopkinton, Hill of Loudon, Bellerose, Martin of Pembroke, Cheney of Pittsfield, Jackson, Sanborn of Salisbury, Johnson of Warner, Seavey.

HILLSBOROUGH COUNTY: Spaulding of Goffstown, Russell, Weston, Johnson of Manchester, Moquin, Murphy of Ward 3, Manchester, Nyberg, Burns of Manchester, Kelley of Ward 4, Manchester, Fitzgerald, Clancy, Connor, Coyne, Creighton, Fleming, Kelley of Ward 5, Manchester, Kenney, Laughlin, McNulty, Tobin, Barry of Manchester, Burke, Currier of Manchester, Murphy of Ward 6, Manchester, Sibley, Smith of Manchester, Carr, Foye, Godbout, Healey, Jr., Quinn, Sullivan of Manchester, Bouchard, Chevette, Donnelly, Leonard, McLaughlin, Morin, Conboy, McBride, Riley, Rourke, Getz, LeClerc, Ploss, Blais, Craig, Gowitzke, McDonnell, Roukey, Gauthier of Ward 12, Manchester, Lamy, Maynard, Pecor, St. Germain, Dionne,

Duval, Gagnon, Gauthier of Ward 13, Manchester, Remillard, Boilard, Dube, Trombly, Spillane, Sullivan of Ward 4, Nashua, Sullivan of Ward 5, Nashua, Burns of Nashua, Cotton of Nashua, Doyle, Lyons, Barry of Nashua, Hallisey, Rigney, Sylvestre, Bilodeau, Girouard, Papachristos, Pelletier, Tobey, Hickey.

CHESHIRE COUNTY: Duncan, Hogan, Callahan, King of Keene, Landers, Wells of Walpole, Qualters.

SULLIVAN COUNTY: Colby.

GRAFTON COUNTY: Hardy of Ashland, Parker, Collins, Webster, Chellis, Page, Nourse.

COOS COUNTY: Keleher, Larue, Griffin of Berlin, Laroche, Hopkins of Berlin, Young of Colebrook, McHugh, Mortenson, Hutchins of Stratford.

Mr. Lang of Haverhill voting yes was paired with Mr. Davison of Haverhill voting no.

#### NAYS, 129.

ROCKINGHAM COUNTY: Wheeler of Atkinson, McDuffee of Candia, Tenney of Chester, White, Knights, Field, Swain, Farmer of Hampton Falls, Bartlett of Kingston, Littlefield, Caldwell, Scruton, Smith of Portsmouth, Trafton, Wood of Portsmouth, Bartlett of Raymond, Cowan, Dow of Windham.

STRAFFORD COUNTY: Cloutman, Reynolds, Fernald, Webb, Meader, Preston.

BELKNAP COUNTY: Smith of Belmont, Sanborn of Center Harbor, Weeks of Gilford, Goodwin, Merrill of Laconia, Badger, Holt, Gordon of New Hampton.

CARROLL COUNTY: Willey, Ela, Chick, Blanchard, Smart, Hoyt of Sandwich, Clow, Hale.

MERRIMACK COUNTY: Grimes, Albee, Roberts of Concord, Cheney of Concord, Lyford, Newton of Concord, Cressy, Kendall, King of Concord, Winant, Lund, Fowler, Gilchrist, Murdock, Farmer of Newbury, Cutting, Wells of Sutton, Wheelwright.

HILLSBOROUGH COUNTY: Ford, Flint, Clark of Bedford, Balch, Rockwood, Hoyt of Francestown, Davis of Goffs-

town, Boisvert, Butler, Childs, Hardy of Hollis, Spaulding of Hudson, Putnam, Cronan, Dodge of Manchester, Bartlett of Manchester, Cox of Manchester, DeMoulpied, Lord of Manchester, Yantis, Hartford, Gordon of Merrimack, Lovejoy, Ordway, Robinson of Milford, Cobleigh, Wheeler of Nashua, Winslow, Eaton, Pentland, Christie, Walker of New Ipswich, Bass, Smith of Peterborough, Eastman of Weare.

CHESHIRE COUNTY: Dewing, Garfield, Firmin, Hopkins of Keene, Jones of Keene, Reed, Barrett of Keene, Empey, Gates, Davis of Stoddard, Ball, King of Walpole, Burt.

SULLIVAN COUNTY: Barry of Charlestown, Nichols, Pierce of Claremont, Tenney of Claremont, Rossiter, Franklyn.

GRAFTON COUNTY: Southard, Hill of Enfield, Rudd, Bridgman, Cross, Stevens of Landaff, Howard of Lebanon, Ross, Hallett, Elms, Harris.

COOS COUNTY: Pierce of Berlin, Moore, Hunt, Ferren, Snow.

And the report was accepted.

Mr. Mortenson of Gorham moved that the vote be reconsidered at once. A *viva voce* vote was against the motion.

On motion of Mr. Lyford of Concord at 3.25 the house adjourned.

#### AFTERNOON.

The house met at 3.26.

On motion of Mr. Lyford of Concord at 3.27 the House adjourned, until 9.30 Friday and after the adjournment at that session until Monday at 7.30 P. M.

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#### FRIDAY, JANUARY 19, 1923.

The House met at 9.30.

On motion of Mr. Martin of Concord at 9.31, the House adjourned.



MONDAY, JANUARY 22, 1923.

The House met at 7.30.

The following letter was read:

CONCORD, N. H., JANUARY 22, 1923.

*Nathaniel E. Martin, Esq.,  
Concord, N. H.*

DEAR MR. MARTIN:—

I shall be unable to be at the session tonight. Will you kindly preside and oblige.

Sincerely yours,

WILLIAM J. AHERN.

On motion of Mr. Kendall of Concord at 7.31 the House adjourned.

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TUESDAY, JANUARY 23, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

#### LEAVES OF ABSENCE.

Messrs. Moore of Berlin and Rigney of Nashua were granted leave of absence for the week on account of important business.

Messrs. Currier of Conway, Sawtelle of Rindge, Randall of Hampstead and Pelletier of Nashua were granted leave of absence for the week on account of illness.

Mr. Taylor of Derry was granted leave of absence for the day on account of death in family.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS.

On motion of Mr. Kenney of Manchester it was voted that the rules be suspended and the first reading be by title only.

The following bills were introduced, read a first and second time by title, tabled to be printed, and referred as follows:

By Mr. Putnam of Lyndeborough, House Bill No. 106, An act in amendment of Section 3, Chapter 29, Laws of 1893, as amended by Section 1, Chapter 67, Laws of 1897, and Section 1, Chapter 14, Laws of 1913 and Section 1, Chapter 171, Laws of 1915, relating to highway agents. To the Committee on Revision of Statutes.

(Mr. Price of Lisbon in the Chair.)

By Mr. Farmer of Hampton Falls, House Bill No. 107, An act relating to the sale of farm produce. To the Committee on Agriculture.

By Mr. Ordway of Milford, House Bill No. 108, An act in amendment of Section 9 of Chapter 178 of the Public Statutes relating to the investment of funds of wards held by guardians. To the Committee on Judiciary.

By Mr. Ordway of Milford, House Bill No. 109, An act in amendment of Chapter 162, Laws of 1915 as amended by Chapter 75 of the Laws of 1917 and by Chapter 171, Laws of 1917, relating to trust funds held by towns and cities. To the Committee on Judiciary.

By Mr. Martin of Concord, House Bill No. 110, An act in amendment of Chapter 148 of the Laws of 1915, entitled: "An act relating to actions for personal injuries." To the Committee on Judiciary.

By Mr. Martin of Concord, House Bill No. 111, An act relating to the salary of the deputy register of probate for the county of Merrimack. To the Committee on Judiciary.

By Mr. Lyford of Concord, House Bill No. 112, An act in amendment of Chapter 268 of the Laws of 1889, entitled: "An act to incorporate the Woodsville Guaranty Savings Bank." To the Committee on Banks.

By Mr. DeMouplied of Manchester, House Bill No. 113, An act relative to the official bond of the treasurer of Hillsborough County. To the Committee on Judiciary.

By Mr. Craig of Manchester, House Bill No. 114, An act to authorize the parks, commons and playgrounds commission of the City of Manchester to pension employees. On motion of Mr. Craig of Manchester, it was voted that the

bill be referred to a Special Committee consisting of the Manchester Delegation.

By Mr. Craig of Manchester, House Bill No. 115, An act to provide that the tax assessors of the City of Manchester shall be elected by direct vote of the citizens. On motion of Mr. Kenney of Manchester it was voted that all bills affecting the City of Manchester be referred to a Special Committee consisting of the Manchester Delegation, and this bill was so referred.

By Mr. Firmin of Fitzwilliam, House Bill No. 116, An act in amendment of paragraph (b) of Section 17, Fish and Game laws, relating to taking of Raccoon and Fox. To the Committee on Fish and Game.

By Mr. Murphy of Manchester, House Bill No. 117, An act in relation to levying an excise tax on billboards. To the Committee on Ways and Means.

By Mr. Craig of Manchester, House Bill No. 118, An act in relation to the Finance Commission for the City of Manchester. To the Manchester Delegation Special Committee.

By Mr. Rigney of Nashua, House Bill No. 119, An act authorizing the City of Nashua to provide pensions for firemen. To the Committee on Judiciary.

By Mr. McIntire of Lancaster, House Bill No. 120, An act in amendment of the Fisheries and Game laws. To the Committee on Fish and Game.

By Mr. Wood of Stewartstown, House Bill No. 121, An act in amendment of Chapter 133, Part 11, Section 17 (a) Laws of 1915, Open season on Beaver. To the Committee on Fish and Game.

By Mr. Felch of Seabrook, House Bill No. 122, An act providing for the extension of the East Side Road in the Town of Seabrook. To the Committee on Roads, Bridges and Canals.

By Mr. Sibley of Manchester, House Bill No. 123, An act in amendment of Chapter 37, Laws of 1895 as amended by Section 9, Laws of 1905, and Section 83, Laws of 1921, relating to Bail Commissioners. To the Committee on Revision of Statutes.

By Mr. Kenney of Manchester, House Bill No. 124, An act in relation to Criminal Identification. To the Committee on Judiciary.

By Mr. Kendall of Concord, House Bill No. 125, An act in amendment of Section 18, Chapter 119, Laws of 1921, relating to Motor Vehicle Law. To the Committee on Revision of Statutes.

By Mr. Kendall of Concord, House Bill No. 126, An act regulating the width of loads on motor vehicles. To the Committee on Revision of Statutes.

By Mr. Martin of Concord, House Bill No. 127, An act amending Section 9, Chapter 269, relating to Cruelty to Animals. To the Committee on Judiciary.

By Mr. Boilard of Nashua, House Bill No. 128, An act in amendment of Section 1 of Chapter 25 of the Public Statutes relative to the election of County Commissioners. To the Committee on Revision of Statutes.

By Mr. Clancy of Manchester, House Bill No. 129, An act to prohibit the issuance of temporary injunctions in labor disputes. To the Committee on Labor.

By Mr. Maynard of Manchester, House Bill No. 130, An act to provide for the licensing of plumbers and to protect the public health. To the Committee on Public Health.

By Mr. Bass of Peterborough, House Bill No. 131, An act relating to the rates of inheritance and succession taxes. To the Committee on Ways and Means.

By Mr. Cox of Manchester, House Bill No. 132, An act in amendment of Section 3 of Chapter 119 of the Laws of 1921 relating to neutral zone registration of motor vehicles. To the Committee on Revision of Statutes.

By Mr. Cox of Manchester, House Bill No. 133, An act in amendment of Chapter 105 of the Laws of 1913 as amended by Chapter 26 of the Laws of 1919 and Chapter 126 of the Laws of 1921 relating to lights on certain vehicles. To the Committee on Revision of Statutes.

By Mr. Sibley of Manchester, House Bill No. 134, An act in amendment of Chapter 174 of Public Statutes, relating to marriages. To the Committee on Revision of Statutes.

By Mr. Harris of Orford, House Bill No. 135, An act regarding the erection of barbed wire fences adjoining highways. To the Committee on Judiciary.

By Mr. Sibley of Manchester, House Bill No. 136, An act to grant a vacation to employees of the Manchester Traction Light & Power Co. To the Committee on Judiciary.

By Mr. Sibley of Manchester, House Bill No. 137, An act to secure a minimum of eight hours of sleep for everyone. To the Committee on Judiciary.

By Mr. Davis of Stoddard, House Bill No. 138, An act to prohibit fishing through the ice in the town of Stoddard. To the Committee on Fish and Game.

By Mr. Nourse of Littleton, House Bill No. 139, An act authorizing the town of Littleton to exempt from local taxation the real and personal property of the Holly Shoe Company of said town. To the Committee on Ways and Means.

By Mr. Burns of Nashua, House Bill No. 140, An act to exempt disabled veterans of the World War from payment of poll tax. To the Committee on Ways and Means.

By Mr. Young of Colebrook, House Bill No. 141, An act in amendment of Chapter 133, Laws of 1915, relating to Fish and Game. To the Committee on Fish and Game.

By Mr. DeMoulpied, of Manchester, House Bill No. 142, An act to create a State Boxing Commission. To the Committee on Revision of Statutes.

By Mr. Barry of Nashua, House Bill No. 143, An act relating to the supervision of police affairs in cities. To the Committee on Judiciary.

By Mr. DeMoulpied of Manchester, House Bill No. 144, An act in amendment of Section 6 of Chapter 119 of the Laws of 1921 relating to lights on motor vehicles. To the Committee on Revision of Statutes.

By Mr. Jacobs of Lancaster, House Bill No. 145, An act to increase and enlarge the powers of the Siwooganock Guaranty Savings Bank. To the Committee on Judiciary.

By Mr. Lee of Concord, House Bill No. 146, An act in amendment to Section 8, Chapter 190 of the Laws of 1911

relating to the office of Attorney General. To the Committee on Judiciary.

By Mr. Snow of Whitefield, House Bill No. 147, An act regulating the slaughtering and inspecting of meat from neat cattle, sheep and swine. To the Committee on Public Health.

(The Speaker in the Chair.)

On motion of Mr. Martin of Concord the House took a recess of one and one-half hours.

(After Recess.)

The introduction of bills was resumed.

The following bills were introduced, read a first and second time, laid on the table to be printed and referred as follows:

By Mr. Papachristos of Nashua, House Bill No. 148, An act in amendment of Section 18, Chapter 119, of the Session Laws of 1921, relating to operating motor vehicles while under the influence of intoxicating liquor. To the Committee on Revision of Statutes.

By Mr. Doyle of Nashua, House Bill No. 149, An act in amendment of Chapter 221 of Public Statutes relating to arrests. To the Committee on Revision of Statutes.

By Mr. Hutchins of Stratford, House Bill No. 150, An act in amendment of Section 1, Chapter 115 of the Laws of 1921, relating to the Militia. To the Committee on Military Affairs.

By Mr. Stevens of Landaff, House Bill No. 151, An act relating to contracts for labor. To the Committee on Labor.

By Mr. Stevens of Landaff, House Bill No. 152, An act increasing the rates of inheritance and succession taxes. To the Committee on Ways and Means.

By Mr. Lyford of Concord, House Bill No. 153, An act to provide for a tax on income from certain forms of intangible property. To the Committee on Ways and Means.

By Mr. Bridgman of Hanover, House Bill No. 154, An act declaring pumps and tanks employed in the distribution

and sale of gasoline and other motor vehicle fuels to be subject to taxation. To the Committee on Ways and Means.

By Mr. Bridgman of Hanover, House Bill No. 155, An act in amendment of Section 5 of Chapter 129 of the Laws of 1917 relating to municipal indebtedness. To the Committee on Judiciary.

By Mr. Bridgman of Hanover, House Bill No. 156, An act declaring fixtures and furniture of merchants, shopkeepers, mechanics, tradesmen and manufacturers to be taxable. To the Committee on Ways and Means.

By Mr. Bridgman of Hanover, House Bill No. 157, An act in amendment of Section 1 of Chapter 56 of the Public Statutes relating to the taxation of persons and property. To the Committee on Ways and Means.

By Mr. Lyford of Concord, House Bill No. 158, An act in amendment of Sections 4 and 5 of Chapter 65 of the Public Statutes and all amendments thereto, relating to the taxation of savings banks. To the Committee on Ways and Means.

By Mr. Bridgman of Hanover, House Bill No. 159, An act for the protection of woodlands from fire during periods of protracted drought. To the Committee on Forestry.

By Mr. Winant of Concord, House Bill No. 160, An act permitting the collection of birds, their nests and eggs, wild animals and fish for scientific purposes. To the Committee on Fish and Game.

By Mr. Winant of Concord, House Bill No. 161, An act to amend Section 1 of Chapter 159, Laws of 1921, relating to the purchase of legislative supplies. To Committee on Judiciary.

By Mr. Fleming of Manchester, House Bill No. 162, An act to protect against discrimination persons engaged in strikes or lockouts. To Committee on Labor.

By Mr. Fleming of Manchester, House Bill No. 163, An act in amendment of Chapter 212 of the Laws of 1913, relating to advertisements during strikes, lockouts or other labor disputes. To the Committee on Labor.

By Mr. Wheeler of Atkinson, House Bill No. 164, An act

relating to changing the name of "Island Pond" to "Lake Escamboit." To the Committee on Public Improvements.

By Mr. Newton of Concord, House Bill No. 165, An act amending Chapter 147 of the Laws of 1917, relating to intoxicating liquors. To the Committee on Liquor Laws.

By Mr. Gauthier of Manchester, House Bill No. 166, An act in relation to the construction of curbing along the streets in the city of Manchester. To a Special Committee consisting of the Manchester Delegation.

By Mr. Newton of Concord, House Bill No. 167, An act to provide safety exit facilities for schoolhouses. To the Committee on Public Improvements.

By Mr. Newton of Concord, House Bill No. 168, An act relating to the precincts in the city of Concord.

On motion of Mr. Newton of Concord, the bill was referred to a Special Committee consisting of the Concord Delegation.

By Mr. Keleher of Berlin, House Bill No. 169, An act relative to the registration of persons, firms and corporations, designing to install wires, or other apparatus for electric light, heat or power purposes. To the Committee on Judiciary.

By Mr. Kent of Londonderry, House Bill No. 170, An act to establish a continuous highway from Smith's Corner in the town of Londonderry to the State line at Dracut, Massachusetts. To the Committee on Public Improvements.

By Mr. Carr of Manchester, House Bill No. 171, An act in amendment of Chapter 175, Division 3, Section 3, relating to the jurisdiction of the courts in divorce proceedings. To the Committee on Judiciary.

By Mr. Burke of Manchester, House Bill No. 172, An act relating to the salary of the motor vehicle commissioner. To the Committee on Revision of Statutes.

By Mr. Burke of Manchester, House Bill No. 173, An act in amendment of Section 6 of Chapter 119, Laws of 1921, relating to operation of motor vehicles. To the Committee on Revision of Statutes.

By Mr. Burke of Manchester, House Bill No. 174, An act in amendment of Section 13 of Chapter 119 of the Laws of



1921 relating to careless driving of motor vehicles. To the Committee on Revision of Statutes.

By Mr. Martin of Concord, House Bill No. 175, An act relating to the purchase of legislative supplies. To the Committee on Judiciary.

By Mr. Phillips of Concord, House Bill No. 176, An act in amendment of Chapter 163 of the Laws of 1911 entitled "An act in relation to employers' liability and workmen's compensation." To the Committee on Judiciary.

By Mr. Phillips of Concord, House Bill No. 177, An act transferring the powers and duties of the commissioner of weights and measures to the office of the attorney-general. To the Committee on Judiciary.

By Mr. Rudd of Franconia, House Bill No. 178, An act to punish frauds on hotelkeepers and others. To the Committee on Judiciary.

By Mr. Garfield of Dublin, House Bill No. 179, An act declaring bill-boards to be taxable. To the Committee on Ways and Means.

By Mr. Barrett of Bethlehem, House Bill No. 180, An act to punish the giving of checks or drafts on any bank or other depository wherein the person making such check or draft shall not have sufficient funds or a credit for the payment of the same. To the Committee on Revision of Statutes.

By Mr. Newton of Concord, House Bill No. 181, An act in amendment of Section 7, Chapter 27 of the Public Statutes, relating to County Commissioners. To the Committee on Judiciary.

By Mr. Durnin of Dover, House Bill No. 182, An act in amendment of chapter 31 of the Public Statutes as amended by Chapter 52 of the Laws of 1899, Chapter 179 of the Laws of 1911 and Chapter 3 of the special Session Laws of 1919 in relation to the rights and qualifications of voters. To the Committee on Revision of Statutes.

By Mr. Hunt of Carroll, House Bill No. 183, An act to define and regulate the lien of hotelkeepers and others. To the Committee on Judiciary.

By Mr. Pottle of Jefferson, House Bill No. 184, An act to

regulate the liability of hotelkeepers. To the Committee on Judiciary.

By Mr. Sibley of Manchester, House Bill No. 185, An act to prohibit parades and meetings of the Ku Klux Klan except by special permission. To the Committee on the Judiciary.

By Mr. Cox of Manchester, House Bill No. 186, An act in amendment of Chapter 55 of the Laws of 1919 as amended by Chapter 120 of the Laws of 1921 relating to permit fees on motor vehicles. To the Committee on Ways and Means.

By Mr. Cox of Manchester, House Bill No. 187, An act in amendment of Section 3 of Chapter 119 of the Laws of 1921 relating to non-resident motor vehicles. To the Committee on Revision of Statutes.

By Mr. Doyle of Nashua, House Bill No. 188, An act in amendment of Section 1, Chapter 340 of the Session Laws of 1917 relating to services of police officers in the city of Nashua.

On motion of Mr. Barry of Nashua, the bill was referred to a special committee consisting of the Nashua Delegation.

By Mr. Bilodeau of Nashua, House Bill No. 189, An act to authorize the granting of special licenses as hawkers and peddlers to disabled veterans of the world war. To the Committee on Ways and Means.

By Mr. Trombly of Nashua, House Bill No. 190, An act in amendment of Section 8, Chapter 173, of the Public Statutes relating to the registration of births, deaths, marriages, as amended by Chapter 17, Laws of 1899. To the Committee of Public Health.

By Mr. Stevens of Landaff, House Bill No. 191, An act in amendment of the laws relating to legacy and succession taxes. To the Committee on Ways and Means.

By Mr. Stevens of Landaff, House Bill No. 192, An act relating to the tax upon the transfer at death of personal property of non-residents. To the Committee on Ways and Means.

By Mr. Winant of Concord, House Bill No. 193, An act to provide for a legislative draftsman in connection with the legislative reference bureau established under Chapter 206,

Sections 1 and 2 of the Laws of 1913. To the Committee on Judiciary.

By Mr. Duncan of Jaffrey, House Bill No. 194, An act in relation to guardians, being in amendment of Chapter 178 of the Public Statutes. To the Committee on Revision of Statutes.

By Mrs. Yantis of Manchester, House Bill No. 195, An act declaring every child to be the legitimate child of its natural parents; making such child an heir of such parents and providing the procedure for establishing parentage. To the Committee on Judiciary.

By Mrs. Yantis of Manchester, House Bill No. 196, An act concerning the domicile of a married woman. To the Committee on Judiciary.

By Mr. Jewett of Laconia, House Bill No. 197, An act in amendment of Section 60 Chapter 133, Laws 1915, relating to Fish and Game. To the Committee on Fish and Game.

By Mr. Jewett of Laconia, House Bill No. 198, An act to amend Chapter 30, Laws 1915 as amended by Laws 1919 Chapter 105 and Chapter 106, Laws 1921 entitled: "An act establishing Municipal Courts." To the Committee on Judiciary.

By Mr. Jewett of Laconia, House Bill No. 199, An act providing for the designation and construction of a State Highway from the Daniel Webster highway in Laconia to the Suncook Valley Trunk Line in Pittsfield. To the Committee on Public Improvements.

By Mr. Jewett of Laconia, House Bill No. 200, An act in amendment of Section 13 Chapter 191 of Public Statutes relating to suits by and against administrators. To the Committee on Judiciary.

By Mr. Robinson of Newport, House Bill No. 201, An act in amendment of Section 16 of Chapter 56 of the Public Statutes as amended by Chapter 82 of the Laws of 1911 relating to the taxation of wood and lumber. To the Committee on Ways and Means.

By Mr. Lewis of Newport, House Bill No. 202, An act in amendment of Sub-Section 7 of Section 7 of Chapter 55 of

the Public Statutes declaring tractors to be a subject of taxation. To the Committee on Ways and Means.

By Mr. Jewett of Laconia, House Bill No. 203, An act to amend Section 6 Chapter 55 Laws 1919 as amended by Chapter 120 Laws 1921, relating to auto permit law. To the Committee on Judiciary.

By Mr. Jewett of Laconia, House Bill No. 204, An act in amendment of Section 1 of Chapter 96 of the Session Laws of 1901 entitled: "An act relating to high schools," as amended by Chapter 118 Laws of 1903, as amended by Chapter 16, Laws of 1917. To the Committee on Judiciary.

By Mr. Jewett of Laconia, House Bill No. 205, An act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto. To the Committee on Judiciary.

By Mr. Jewett of Laconia, House Bill No. 206, An act relating to children born out of wedlock and to make uniform the law relating thereto. To the Committee on Judiciary.

By Mr. Jewett of Laconia, House Bill No. 207, An act concerning declaratory judgments and decrees and to make uniform the law relating thereto. To the Committee on Judiciary.

By Mr. Jewett of Laconia, House Bill No. 208, An act concerning aeronautics and to make uniform the law with reference thereto. To the Committee on Judiciary.

By Mr. Jewett of Laconia, House Bill No. 209, An act to make uniform the law relating to the sale of goods and known as the Uniform Sales Act. To the Committee on Judiciary.

By Mr. Robinson of Concord, House Bill No. 210, An act limiting the liability of municipal corporations for sewer overflow. To the Committee on Judiciary.

By Mr. Bass of Peterborough, House Bill No. 211, An act to authorize the improvement of water powers in this state by the construction and management of storage reservoirs. To the Committee on Ways and Means.

By Mrs. Yantis of Manchester, House Bill No. 212, An act in relation to jurors, being in amendment of Chapter 209 of

the Public Statutes as amended by Chapter 144 of the Laws of 1921. To the Committee on Judiciary.

By Mr. Winant of Concord, House Bill No. 213, An act in amendment of the charter of the trustees of the Orphans' Home of Concord, approved June 26, 1874, as amended by an act approved March 10, 1897, and in amendment of an act to exempt the Orphans' Home of Concord, New Hampshire, from taxation. To the Committee on Revision of Statutes.

By Mr. Steward of Northwood, House Bill No. 214, An act in amendment of Section 4, Chapter 56 of the Public Statutes, and amendments thereto, relating to the exemption of certain disabled soldiers and sailors of the world war from paying a poll tax. To the Committee on Ways and Means.

By Mr. Dodge of Concord, House Bill No. 215, An act in amendment of Chapter 139 of the Laws of 1919 as amended by Chapter 23 of the Laws of 1921 relating to the taxation of street railways. To the Committee on Ways and Means.

By Mr. Stevens of Landaff, House Bill No. 216, An act in relation to the distribution of railroad taxes. To the Committee on Ways and Means.

By Mr. Hoyt of Sandwich, House Bill No. 217, An act to protect fish and farm lands from pollution by sawdust and other waste. To the Committee on Judiciary.

By Mr. Stevens of Landaff, House Bill No. 218, An act to provide for a gasoline tax and to amend the license fees and taxes on motor vehicles. To the Committee on Ways and Means.

By Mr. Spillane of Nashua, House Bill No. 219, An act in amendment of Section 13, Chapter 119 of the Laws of 1921 relating to the operation of motor trucks on public highways. To the Committee on Revision of Statutes.

By Mr. Pappachristos of Nashua, House Bill No. 220, An act relating to voting on removal of voter. To the Committee on Judiciary.

By Mr. Cotton of Nashua, House Bill No. 221, An act in amendment of and addition to Chapter 78, Laws of 1897 as amended by Chapter 30, Laws of 1919 relating to the

creation of voting districts and additional polling places in city wards. To the Committee on Judiciary.

By Mr. Hutchins of Stratford, House Bill No. 222, An act in amendment of Section 1, Chapter 59 of the Laws of 1893 relating to damages happening in the use of highways. To the Committee on Judiciary.

By Mr. Robinson of Milford, House Bill No. 223, An act to join Thanksgiving Day and Armistice Day as a legal holiday. To the Committee on Judiciary.

By Mr. DeMouplied of Manchester, House Bill No. 224, An act in amendment of Section 25 of Chapter 119 of the Laws of 1921 relating to the weighing of motor vehicles. To the Committee on Revision of Statutes.

By Mr. Dube of Nashua, House Bill No. 225, An act to amend Section No. 7 of Chapter 129 of the Laws of 1917 entitled "An act relating to municipal finances, and to amend Chapter 43, Session Laws of 1895 authorizing municipal corporations to issue bonds." To the Committee on Revision of Statutes.

By Mr. Sanborn of Bradford, House Bill No. 226, An act to repeal so much of Chapter 77, Laws of 1899, as relates to the combining of several school districts in this state into supervisory unions, to repeal all items of Chapter 106, Laws of 1919, and Chapter 85, Laws of 1921, which relate to combining several school districts in this state into supervisory unions. To the Committee on Education.

By Mr. Jacobs of Lancaster, House Bill No. 227, An act authorizing the Lancaster Fire Precinct to pay certain moneys to Union School District No. 1 in the town of Lancaster. To the Committee on Judiciary.

By Mr. Sullivan of Ward 5, Nashua, House Bill No. 228, An act providing for the signing of editorials or articles in newspapers and other periodicals. To the Committee on Judiciary.

By Mr. Lyford of Concord, House Bill No. 229, An act in amendment of Chapter 305, Laws of 1909, entitled "An act to revise the charter of the City of Concord" and Chapter 245, Laws of 1919 in amendment thereof.

On motion of Mr. Lee of Concord the bill was referred to a Special Committee consisting of the Concord Delegation.

By Mr. Wheeler of Nashua, House Bill No. 230, An act to provide additional accommodations at the New Hampshire State Hospital. To the Committee on State Hospital.

By Mr. Lyford of Concord, House Bill No. 231, An act in amendment of Section 1 of Chapter 41 of the Laws of 1921 relating to the exemption from taxation of the property of educational, charitable, religious and other societies and institutions. To the Committee on Ways and Means.

By Mr. Elms of Lyman, House Bill No. 232, An act relating to inspection of creameries and milk stations and the manipulation of tests for determining composition of dairy products. To the Committee on Public Health.

By Mr. Hoyt of Sandwich, House Bill No. 233, An act to establish a permanent highway from the Daniel Webster Highway at Squam Bridge, so-called, in the town of Holderness, to the Merrimack Valley Road in the town of Moultonborough. To the Committee on Public Improvements.

By Mr. Gagne of Somersworth, House Bill No. 234, An act in amendment of Chapter 70 of the Laws of 1921 entitled: "An act imposing a tax upon the transfer at death of the personal property of non-residents." To the Committee on Judiciary.

By Mr. Gagne of Somersworth, House Bill No. 235, An act in amendment of Chapter 72, of the Laws of 1921 amending Chapter 40 of the Laws of 1905 and amendments thereto. To the Committee on Judiciary.

By Mr. Kane of Portsmouth, House Bill No. 236, An act to create a state pier commission. To the Committee on Judiciary.

By Mr. Newton of Concord, House Bill No. 237, An act enlarging the powers of the Public Service Commission to authorize the discontinuance of steam railways in certain cases. To the Committee on Judiciary.

By Mr. Newton of Concord, House Bill No. 238, An act

enlarging the powers of Moore's Falls Corporation. To the Committee on Judiciary.

By Mr. Newton of Concord, House Bill No. 239, An act to give the Public Service Commission jurisdiction over the management of the waters of Winnepesaukee Lake. To the Committee on Judiciary.

By Mr. Preston of Strafford, House Bill No. 240, An act in amendment of Sections 7 and 9, Chapter 116, of the Laws of 1895 and consolidating the offices of Secretary of the State Board of Health and secretary and clerk of the State Board of Charities and Correction. To the Committee on Judiciary.

By Mr. Reed of Keene, House Bill No. 241, An act relating to the regulation of building and the location of trades and industries in cities and towns. To the Committee on Judiciary.

By Mr. Fowler of Epsom, House Bill No. 242, An act relating to the vaccination of school children. To the Committee on Public Health.

By Mr. Philbrick of Freedom, House Bill No. 243, An act in amendment of Chapter 145, of the Laws of 1913, entitled: "An act in amendment of Chapter 164 of the Laws of 1911, entitled: 'An act to establish a public service commission.'" To the Committee on Judiciary.

By Mr. Aiken of Franklin, House Bill No. 244, An act in amendment of Section 25, Chapter 119, Laws of 1921, entitled: "An act repealing Chapter 133 of the Laws of 1911, and amendments thereto, and enacting a motor vehicle law." To the Committee on Revision of Statutes.

By Mr. Martin of Concord, House Bill No. 245, An act for the partial exemption of certain property to be used for hotel purposes in the city of Manchester. To the Committee on Ways and Means.

By Mr. Newton of Franklin, House Bill No. 246, An act to provide for the licensing of stationary firemen and engineers. To the Committee on Revision of Statutes.

By Mr. Bartlett of Kingston, House Bill No. 247, An act in amendment of Chapter 133, Laws of 1915, as amended by



Chapter 184, Laws of 1917, and as amended by Chapter 153, Laws of 1919 relating to Fish and Game. To the Committee on Fish and Game.

By Mr. Farmer of Hampton Falls, House Bill No. 248, An act for the protection of apple orchards. To the Committee on Agriculture.

By Mr. Batchelder of Exeter, House Bill No. 249, An act in amendment of Chapter 162, Laws of 1915, as already amended by Chapters 75 and 171, Laws of 1917 and Chapter 96, Laws of 1919. To the Committee on Judiciary.

By Mr. Jones of Alton, House Bill No. 250, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Alton. To the Committee on Judiciary.

By Mr. Kempton of Laconia, House Bill No. 251, An act to amend the fish and game laws. To the Committee on Fish and Game.

By Mr. Collins of Bristol, House Bill No. 252, An act in amendment of Section 4, Chapter 76, Laws of 1895, relating to the protection from pollution of sources of water used for domestic purposes. To the Committee on Judiciary.

By Mr. Spillane of Nashua, House Bill No. 253, An act in amendment of Section 19 of Chapter 286 of the Public Statutes, relating to the salary of the treasurer of Hillsborough County.

On motion of Mr. Barry of Nashua the bill was referred to a Special Committee consisting of the Hillsborough County Delegation.

By Mr. Wright of Sanbornton, House Bill No. 254, An act in amendment of Chapter 59 of the Laws of 1901 as amended by Chapter 79 of the Laws of 1915 as amended by Chapter 109 of the Laws of 1919, relative to veterinary surgeons. To the Committee on Revision of Statutes.

By Mr. King of Walpole, House Bill No. 255, An act in relation to the regulation of auctions and auctioneers. To the Committee on Judiciary.

By Mr. Fernald of Dover, House Bill No. 256, An act to

forbid lawyers who are expelled from practice by the Supreme Court from acting as counsellors or attorneys, under penalty. To the Committee on Judiciary.

By Mr. King of Walpole, House Bill No. 257, An act in regulation of the purchase of supplies for public schools. To the Committee on Education.

By Mr. McGinness of Troy, House Bill No. 258, An act to incorporate the Monadnock Club of Troy, N. H. To the Committee on Incorporations.

By Mr. Landers of Keene, House Bill No. 259, An act relating to intoxicating liquors. To the Committee on Liquor Laws.

By Mr. Steward of Northwood, House Bill No. 260, An act to close North River Pond for fishing through the ice for a term of five years. To the Committee on Fish and Game.

By Mr. Landers of Keene, House Bill No. 261, An act in relation to motor vehicles. To the Committee on Revision of Statutes.

By Mr. Girouard of Nashua, House Bill No. 262, An act amending Section 3 of Chapter 137 of the Public Statutes, relating to the execution of deeds and other conveyances of real estate. To the Committee on Judiciary.

By Mr. Stevens of Landaff, House Bill No. 263, An act in amendment of Chapter 55 of the Public Statutes as amended by Chapter 82, of the Laws of 1913, Chapter 91 of the Laws of 1919, and Chapter 4 of the Laws of 1919 (special session) relating to poll tax. To the Committee on Ways and Means.

By Mr. King of Walpole, House Bill No. 264, An act in relation to bridges crossing the Connecticut River. To the Committee on Roads, Bridges and Canals.

By Mr. Mortenson of Gorham, House Bill No. 265, An act to prohibit the wearing of masks and disguises in public. To the Committee on Revision of Statutes.

By Mr. Fadden of Thornton, House Bill No. 266, An act to increase the bounty on wildcats. To the Committee on Fish and Game.

By Mr. Donnelly of Manchester, House Bill No. 267, An

act to amend Chapter 38, Laws of 1913, An act for the bi-weekly payment for all state employees except salaried officers. To the Committee on Ways and Means.

By Mr. Connor of Manchester, House Bill No. 268, An act relative to the payment of money. To the Committee on Revision of Statutes.

By Mr. Laughlin of Manchester, House Bill No. 269, An act in amendment of Sub-Section 6 of Section 7 of Chapter 55 of the Public Statutes relating to the taxation of stock in trade. To the Committee on Ways and Means.

By Mr. Bilodeau of Nashua, House Bill No. 270, An act relating to union label water mark on state paper. To the Committee on Labor.

By Mr. Newton of Concord, House Bill No. 271, An act relating to replacement of buildings of State institutions destroyed by fire. To the Committee on Judiciary.

By Mr. King of Walpole, House Bill No. 272, An act in relation to the State Tax Commission. To the Committee on Judiciary.

By Mr. Swain of Exeter, House Bill No. 273, An act relating to poll tax of soldiers' widows. To the Committee on Ways and Means.

By Mr. Dewing of Alstead, House Bill No. 274, An act relating to public schools. To the Committee on Education.

By Mr. Sullivan of Ward 5, Nashua, House Bill No. 275, An act relating to motor vehicles. To the Committee on Revision of Statutes.

By Mr. McLaughlin of Manchester, House Bill No. 276, An act relating to pensioning of employees of the Water Works Department of the City of Manchester. To the Manchester Delegation (Special Committee).

By Mr. McLaughlin of Manchester, House Bill No. 277, An act relating to the clerk of the Municipal Court<sup>of</sup> of Manchester. To the Manchester Delegation (Special Committee).

By Mr. Sawyer of Woodstock, House Bill No. 278, An act in regard to the construction and maintenance of the Daniel

Webster Highway in the town of Lincoln. To the Committee on Public Improvements.

On motion of Mr. Fernald of Dover it was voted that the clerk be instructed to procure 500 additional copies of House Bill No. 19.

#### HOUSE RESOLUTION.

The following House Resolution was presented by Mr. Bass of Peterborough:

*Whereas* the expenditures of the State Highway Department represent a very substantial portion of the income of the State; and

*Whereas* the legislation relating thereto extends over a period of more than twenty years without revision or coordination, and

*Whereas* public interest in the work of said department is great;

*Now, Therefore*, be it resolved that the Ways and Means Committee of this House be authorized and directed to review the receipts and expenditures of the Department of Highways, to study its methods, policies and accomplishments and the legislation relating to said Department for the purpose of determining what changes if any are desirable in its methods and policies, in its expenditures among the various classes of work or in its income or sources thereof; and said committee is hereby authorized and empowered to employ such assistant or assistants as may be necessary properly to conduct the inquiry authorized and directed herein.

On motion of Mr. Bass of Peterborough the resolution was made a Special Order for January 24, at 11.01 o'clock.

The introduction of bills and Joint resolutions was continued.

The following bills and Joint resolutions were severally introduced, read a first and second time by their titles, in the case of bills, laid upon the table to be printed and then referred as follows:

By Mr. Martin of Concord, House Joint Resolution No. 22,

Joint resolution in favor of the New Hampshire Old Home Week Association. To the Committee on Appropriations.

By Mr. Spring of Chesterfield, House Joint Resolution No. 23, Joint resolution to reimburse the town of Chesterfield for expenditures in the repair of Suspension Bridge over Connecticut River in 1921. On motion of Mr. Callahan of Keene, the resolution was referred to a Special Committee consisting of the Cheshire County Delegation.

By Mr. Fall of Tamworth, House Joint Resolution No. 24, Joint resolution in favor of George I. Philbrick. To the Committee on Claims.

By Mr. Newton of Concord, House Joint Resolution No. 25, Joint resolution in favor of the City of Concord. To the Committee on claims.

By Mr. Lee of Concord, House Joint Resolution No. 26, Joint resolution for improvements at the school for feeble-minded children. To the Committee on School for Feeble Minded.

By Mr. Wheeler of Nashua, House Joint Resolution No. 27, Joint resolution providing for extraordinary repairs and replacements at the New Hampshire State Hospital. To the Committee on State Hospital.

By Mr. Lyford of Concord, House Joint Resolution No. 28, Joint resolution recommending reconvening the constitutional convention and appropriating money therefor. To the Committee on Ways and Means.

By Mr. Hoyt of Sandwich, House Joint Resolution No. 29, Joint resolution appropriating money for agricultural fairs in New Hampshire. To the Committee on Agriculture.

By Mr. Martin of Concord, House Joint Resolution No. 30, Joint resolution in aid of the Spanish War Veterans. To the Committee on Military Affairs.

By Mr. Fall of Tamworth, House Joint Resolution No. 31, Joint resolution for the improvement of the main road in the town of Tamworth from Whittier to Chocorua. To the Committee on Public Improvements.

By Mr. Childs of Hillsborough, House Joint Resolution No. 32, Joint resolution to provide for cooperation with the

United States Geological Survey in the establishment and maintenance of stream flow gaging station. To the Committee on Public Improvements.

By Mr. Boisvert of Greenville, House Joint Resolution No. 33, Joint resolution for the improvement of the highway in the town of Mason. To the Committee on Roads, Bridges, and Canals.

By Mr. Frazer of Monroe, House Joint Resolution No. 34, Joint resolution for establishing a free bridge in the town of Monroe. To the Committee on Public Improvements.

By Mr. Converse of Lyme, House Joint Resolution No. 35, Joint resolution for the repair of the highway leading from Dorchester to Lyme. To the Committee on Roads, Bridges and Canals.

By Mr. Lamy of Manchester, House Joint Resolution No. 36, Joint resolution for the treatment of persons afflicted with tuberculosis, particularly in the advanced stages. To the Committee on Public Health.

By Mr. Wood of Stewartstown, House Joint Resolution No. 37, Joint resolution appropriating money for improvement and maintenance of State Highway leading from Little Diamond Pond, in the town of Stewartstown, to the town line of the Town of Colebrook. To the Committee on Roads, Bridges and Canals.

By Mr. MacMurphy of Derry, House Joint Resolution No. 38, Joint resolution in favor of the estate of George W. Benson. To the Committee on Appropriations.

By Mr. Hill of Loudon, House Joint Resolution No. 39, Joint resolution in favor of the Rocky Pond Road in the city of Concord and towns of Loudon, Canterbury, Gilmanston and Belmont. To the Committee on Roads, Bridges and Canals.

By Mr. Lang of Haverhill, House Joint Resolution No. 40, Joint resolution in aid of the town of Haverhill in building a bridge across the Connecticut River. To the Committee on Public Improvements.

By Mr. Cotton of Warren, House Joint Resolution No. 41, Joint resolution relating to a partial compensation to be

paid to towns by the State for loss of taxes on forest lands in the possession of the National Government. To the Committee on Ways and Means.

By Mr. Barry of Charlestown, House Joint Resolution No. 42, Joint resolution in favor of Fred C. Hammond. To the Committee on Claims.

By Mr. Littlefield of Newton, House Bill No. 279, An act in amendment of Chapter 174, Section 8, of the Public Statutes relating to marriages, and in relation to commissioners to solemnize the same. To the Committee on Judiciary.

By Mr. Littlefield of Newton, House Bill No. 280, An act repealing Sections 2, 3, 4 and 5, Chapter 159 of the Public Statutes and to establish gates at grade crossings of railroads. To the Committee on Railroads.

By Mr. Stevens of Landaff, House Bill No. 281, An act in amendment of Chapter 133, Laws of 1915, as amended by Laws of 1917, 1919 and 1921, relating to open season on deer. To the Committee on Fish and Game.

By Mr. Stevens of Landaff, House Bill No. 282, An act amending Section 17, Chapter 133, Laws of 1915, as amended by Laws of 1917, 1919 and 1921 relating to fur-bearing animals. To the Committee on Fish and Game.

By Mr. Fernald of Dover, House Bill No. 283, An act in amendment of Chapter 224 of the Session Laws of 1917, entitled: An act to establish an additional system of cross state highways. To the Committee on Public Improvements.

On motion of Mr. Cheney of Concord business in order for 3 o'clock was made in order at this time.

#### REPORTS OF COMMITTEES.

Mr. Griffin of Berlin for the Committee on Roads, Bridges and Canals to whom was referred House Bill No. 76, An act in amendment of Section 16 of Chapter 155, Laws of 1921, relating to the permanent construction of highway bridges throughout the state, reported the same with recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

The introduction of bills and Joint resolutions was continued.

By Mr. Littlefield of Newton, House Bill No. 284, An act to regulate bakeries and bakery products. Read a first and second time, tabled to be printed and referred to the Committee on Public Health.

On motion of Mr. Sibley of Manchester at 5.22 P. M. the House adjourned.

#### AFTERNOON.

The House met at 5.23.

On motion of Mr. Aiken of Franklin at 5.24 the House adjourned.

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#### WEDNESDAY, JANUARY 24, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

#### LEAVES OF ABSENCE.

Messrs. Franklyn of Cornish and Webb of Dover were granted leave of absence for the day on account of important business.

Messrs. Pottle of Jefferson and Holt of Laconia were granted leave of absence for the remainder of the week on account of important business.

Mr. Lawrence of Middleton was granted leave of absence for the week of January 29 on account of important business.

#### PETITION PRESENTED AND REFERRED.

By Mr. Callahan of Keene, Petition of the Womans' Club of Keene and others relating to the collection of garbage in the city of Keene. Referred to the Committee on Judiciary.

#### REPORTS OF COMMITTEES.

Mr. Gilchrist of Henniker for the Committee on Public Improvements to whom was referred House Joint Resolu-



tion No. 8, Joint resolution in favor of changing the name of the highway known as "West Side Road" to the "Dartmouth College Road," reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the resolution ordered to a third reading.

Mr. Eaton of Nashua for the Committee on Judiciary to whom was referred House Bill No. 39, An act Relating to the Issue of Bonds by the Union School District No. 2 of the Town of Bristol, reported the same with the following resolution:

*Resolved*, That said bill ought to pass.

The report was accepted and the bill ordered to a third reading.

#### SPECIAL ORDER.

Mr. Bass of Peterborough called for the Special Order, it being the House Resolution to authorize the Committee on Ways and Means to review the receipts, expenditures, and methods of the Department of Highways.

The question being: Shall the resolution be adopted? the vote was in the affirmative and the resolution was adopted.

#### COMMITTEE ORGANIZATIONS.

The following committee organizations were announced: Unfinished Business,—Hamlin of Bartlett, clerk.

Towns,—Firmin of Fitzwilliam, clerk.

Forestry,—Kidder of Rumney, clerk.

On motion of Mr. Martin of Concord at 11.55 the House adjourned.

#### AFTERNOON.

The House met at 3.00 o'clock.

On motion of Mr. Fernald of Dover, it appearing that House Bills No. 279, 280 and 284, were introduced by him in the absence of Mr. Littlefield of Newton, it was voted that the Journal be changed so that Mr. Littlefield appear as sponsor of them.

## CHANGE OF COMMITTEE REFERENCE.

On motion of Mr. Cox of Manchester it was voted that House Bill No. 242, An act relating to the vaccination of School children, which was referred to the Committee on Public Health be withdrawn from that committee and referred to the Committee on Revision of Statutes.

On motion of Mr. Hardy of Hollis it was voted that House Bill No. 232, An act relating to the inspection of Creameries and milk stations, and the manipulation of tests for determining composition of dairy products, be withdrawn from the Committee on Public Health to which it was referred and be referred to the Committee on Agriculture.

## COMMITTEE ORGANIZATION.

The following committee organizations were announced:

Retrenchment and Reform—Remillard of Manchester, clerk; Education—Harris of Orford, clerk; Military Affairs—Swain of Exeter, clerk.

On motion of Mrs. Caldwell of Portsmouth at 3.22 the House adjourned.

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THURSDAY, JANUARY 25, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

## REPORT OF COMMITTEE.

Mr. Cheney of Concord for the Committee on Rules, reported the following resolution:

*Resolved*, that the Rules of the House and the Joint Rules of the House and Senate be the same as for the 1921 session, with the following change:

That the Committees on Revision of Statutes and on the Agricultural College consist of seventeen members each.

The resolution was adopted.

## A MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the

House of Representatives in the passage of the following entitled bill and joint resolution, sent up from the House of Representatives:

House Bill No. 7, An act to Legalize the Biennial Election held on the seventh day of November, 1922, in the town of Newbury.

House Joint Resolution No. 7, Joint resolution in relation to a Gift to the State of New Hampshire by Benjamin A. Kimball of his Homestead Premises in Concord for use as a Governor's Mansion.

#### CHANGE OF COMMITTEE REFERENCE.

On motion of Mr. Doyle of Nashua, it was voted that House Bill No. 244, An act in amendment of the Motor Vehicle Law which was referred to the Committee on Revision of Statutes be withdrawn from that Committee and referred to the Committee on Ways and Means.

#### PETITIONS PRESENTED AND REFERRED.

By Mr. Fernald of Dover, for the Quarterly Conference of the M. E. Church of Franklin memorializing the Legislature for the enactment of an Industrial Court Law.

Referred to the Committee on Judiciary.

By Mr. Wheeler of Nashua, memorial from congregation of St. Paul's M. E. Church of Manchester against changes in the Sabbath Law.

Referred to the Committee on Revision of Statutes.

#### LEAVES OF ABSENCE.

Messrs. Cox of Manchester, Hogan of Jaffrey, Burns of Nashua, Weston of Hancock, Roby of Concord and Willey of Brookfield were granted leave of absence for the day on account of illness.

Messrs. Littlefield of Newton, Ross of Lebanon, Blake of Guilford and Huntley of Marlow were granted leave of absence for the week on account of business.

#### REPORTS OF COMMITTEES.

Mr. Cobleigh of Nashua for the Committee on Revision of Statutes to whom was referred House Bill No. 15, An

act in amendment of Chapter 186 of the Public Statutes relating to wills, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barry of Nashua for the Committee on Appropriations to whom was referred House Bill No. 20, An act to Establish a New Apportionment for the Assessment of Public Taxes, reported the same, and the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Jewett of Laconia for the Committee on Judiciary to whom was referred House Bill No. 78, An act in Amendment of Section 1, Chapter 76, Laws of 1897, relating to Hawkers and Peddlers, reported the same with the following resolution:

*Resolved*, The bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Duncan of Jaffrey, moved that the vote ordering the House Bill No. 78, In Relation to Hawkers and Peddlers, to a third reading be reconsidered and that the bill with the motion pending be laid upon the table and made a special order of Tuesday, January 30, at 11.02. The vote was in the affirmative.

#### BILLS INTRODUCED.

By the Committee on Military Affairs; House Bill No. 150 (In New Draft), An act in amendment of Section 13 of Chapter 123, Laws of 1917 as amended by Section 1, Chapter 115, Laws of 1921 relating to the Governor's Staff.

Read a first and second time. On motion of Mr. Lyford of Concord, the rules were suspended, the printing dispensed with, and the bill read a third time by its title.

The question being: Shall the bill pass? the vote was in the affirmative and the bill ordered to the Senate for concurrence.

By the Committee on Revision of Statutes; House Bill No. 23, in a new draft, "An act regulating the practice of chaining wheels on hills."

Read a first and second time and ordered to the table to be printed, and taken up in the regular order.

#### HOUSE RESOLUTION INTRODUCED.

The following resolution was presented by Mr. Stevens of Landaff, for the Committee on Ways and Means:

"House Resolution in relation to reconvening of the Constitutional Convention.

*Resolved*, that *Whereas*: There is a general consensus of opinion that serious injustice exists in our present system of taxation and

*Whereas*: The measures necessary adequately to relieve these injustices require constitutional amendment and

*Whereas*: Certain present sources of state revenue are likely to be declared unconstitutional and

*Whereas*: If a new Constitutional Convention should be called, it would be at least five years before any relief could be secured by the necessary legislation.

Therefore be it *Resolved*: That it is the opinion of the House that the existing Constitutional Convention be reconvened.

And furthermore that the best interests of the State would be served if the Constitutional Convention when reconvened should submit one general amendment removing those restrictions which now prevent the Legislature from taking the action necessary to equalize taxation, rather than submitting several amendments granting power to the Legislature to levy specific taxes."

On motion of Mr. Stevens of Landaff the Resolution was laid upon the table to be printed and made a special order for January 30 at 11.01.

On motion of Mr. Stevens of Landaff, it was voted that the rules be suspended and that the Committee on Ways and Means report on House Joint Resolution No. 28, Joint resolution recommending reconvening the Constitutional

Convention and appropriating money therefor, and the report be made a special order for January 30 at 11.01½.

On motion of Mr. Lyford it was voted that House Bill No. 39, An act relating to the issue of bonds by Union School District No. 2 of the town of Bristol be put back upon its second reading and recommitted to the Committee on Judiciary.

On motion of Mr. Phillips of Concord, the rules were suspended and business in order at three o'clock made in order at this time.

#### THIRD READING.

The following House Joint Resolution was read a third time, passed and sent to the Senate for concurrence.

House Joint Resolution No. 8, Joint resolution in favor of changing the name of the highway known as the "West Side Road" to the "Dartmouth College Road."

On motion of Mr. Smith of Peterborough it was voted that when the House rise today it adjourn until tomorrow at 9.30, and that when it then rises it adjourn until Monday at 7.30 P. M.

On motion of Mr. Aiken of Franklin, at 1.45 the House adjourned.

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#### FRIDAY, JANUARY 26, 1923.

The House met at 9.30.

On motion of Mr. Fernald of Dover at 9.31 the House adjourned.

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#### MONDAY, JANUARY 29, 1923.

The House met at 7.30 P. M.

On motion of Mr. Kendall of Concord at 7.31 P. M. the House adjourned.

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#### TUESDAY, JANUARY 30, 1923.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

Mr. Craig of Manchester notified the House of the death of the Hon. Sherman E. Burroughs, Representative in Congress.

On motion of Mr. Lyford of Concord, it was

*Resolved*, That this House learns with profound sorrow of the death of Congressman Sherman E. Burroughs, formerly a member of this body; that the House extends to his afflicted family its sincere sympathy; and that when the House adjourns to-day, it adjourns out of respect to his memory.

*Resolved*, That the clerk of the House send a copy of this resolution to the family of Mr. Burroughs.

#### LEAVES OF ABSENCE.

Messrs. Farnsworth of Washington and Dewing of Alstead, were granted leave of absence for the week on account of important business.

Mr. Pelletier of Nashua, was granted leave of absence for the week on account of illness.

#### COMMITTEE REPORTS.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 10, Joint resolution in favor of William H. Knox and others, reported the same with the recommendation that the Joint resolution ought to pass.

On motion of Mr. Barry of Nashua, the printing was dispensed with and the resolution put at once upon its passage under a suspension of the rules. On motion of Mr. Kenney of Manchester, the third reading having been commenced, the further reading was dispensed with. The question being: Shall the resolution pass?, the vote was in the affirmative and the resolution ordered to the Senate for concurrence.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has passed the following bills, in

the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 8, An act in relation to Receiptors for Property under Attachment.

The message further announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 150 (New Draft), An act in amendment of Section 13, Chapter 123, Laws of 1917, as amended by Section 1, Chapter 115, Laws of 1921, relating to the Governor's Staff.

#### REPORTS OF COMMITTEES CONTINUED.

Mr. Butler of Hillsborough, for the Committee on Banks, to whom was referred House Bill No. 25, An act amending Section 2 of Chapter 189 of the Laws of 1917 relating to Taxation of Deposits in Banks in other States, reported the same, with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Butler of Hillsborough for the Committee on Banks to whom was referred House Bill No. 112, An act in amendment of Chapter 268 of the Laws of 1889, entitled, An act to incorporate the Woodsville Guaranty Savings Bank, reported the same, with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary to whom was referred House Bill No. 29, An act to repeal Sections 1, 2, 3, 4 of Chapter 14 of the Public Statutes entitled, "The State Tax and Charter Fees" and abolish the State Tax, reported the same with the recommendation that the bill be referred to the Committee on Ways and Means.

The report was accepted and the bill referred to the Committee on Ways and Means.



Mr. Hutchins of Berlin for the Committee on Judiciary to whom was referred House Bill No. 56, An act to amend Section 3, Chapter 29, Laws of 1893 as amended by Section 1, Chapter 67, Laws of 1897, Section 1, Chapter 14, Laws of 1913, Section 1, Chapter 171, Laws of 1915, Section 1, Chapter 49, Laws of 1917, Relating to Highway Agents, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Cronin of Portsmouth, for the Committee on Judiciary to whom was referred House Bill No. 59, An act to amend an act to Establish a Corporation by the name of the Trustees of the New Hampshire Conference Seminary and the N. H. Female College, approved Dec. 29, 1852, and other acts amending the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Jewett of Laconia, for the Committee on Judiciary to whom was referred House Bill No. 82, An act in amendment of Section 5, Chapter 46, Laws of 1897, relating to Itinerant Vendors, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Cobleigh of Nashua, for the Committee on Revision of Statutes to whom was referred House Bill No. 23, An act in amendment of Chapter 26, Laws of 1917, relating to the chaining of wheels and the leaving of stones, boards, planks, fences, guard rails, sticks or brush upon public streets, highways or in any gutter or drain adjacent to same, reported the same with the following resolution:

*Resolved*, It is inexpedient to legislate, the subject being covered by the same bill in a new draft introduced by the committee.

The report was accepted and the resolution of the committee adopted.

Mr. Cobleigh of Nashua for the Committee on Revision of Statutes, to whom was referred House Bill No. 58, An act in Amendment of Section 13 of Chapter 133, of the Laws of 1911, relating to the Operation of Motor Trucks on Public Highways, reported the same with the following Resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Cobleigh of Nashua for the Committee on Revision of Statutes, to whom was referred House Bill No. 91, An act to repeal Chapter 7 of the Session Laws of 1907, entitled, An act to Amend Chapter 11 of the Session Laws of 1899, Concerning Holidays, reported the same with the recommendation that the bill ought to pass.

On motion of Mr. Harris of Orford, the bill was recommended to the Committee on Revision of Statutes.

Mr. Colby of Plainfield for the Committee on Engrossed Bills, reported that the Committee on Engrossed Bills had examined and found correctly engrossed the following entitled bill and Joint resolution:

House Bill No. 7, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Newbury.

House Joint Resolution No. 7, Joint resolution in relation to a gift to the State of New Hampshire by Benjamin A. Kimball of his homestead premises in Concord for use as a Governor's mansion.

The report was accepted.

#### BILL TAKEN FROM THE TABLE.

House Bill No. 23 (New Draft), An act regulating the practice of chaining wheels on hills, having been printed was ordered from the table and to a third reading.

#### SENATE BILL READ AND REFERRED.

Senate Bill No. 8, An act in relation to Receiptors for Property under Attachment.

Read a first and second time and referred to the Committee on Judiciary.

#### SPECIAL ORDER.

Mr. Stevens of Landaff, then called for the special order, it being the House Resolution, introduced by the Ways and Means Committee, Resolution in relation to the re-convening of the Constitutional Convention.

Discussion ensued, Messrs. Stevens of Landaff, Lyford of Concord, Bass of Peterborough for the resolution and Messrs. Cheney of Concord, Moore of Berlin, in opposition to the resolution.

On motion of Mr. Stevens of Landaff it was voted that the special orders for 11.01 and 11.01½ be made special orders for tomorrow at 11.01 and 11.02 respectively.

On motion of Mr. Duncan of Jaffrey it was voted that the special order of 11.02 today be made a special order for 11.03 tomorrow.

On motion of Mr. Kenney of Manchester, it was voted that business in order for 3 o'clock be made in order at this time, under a suspension of the rules.

#### THIRD READINGS.

On motion of Mr. Kenney of Manchester, the rules were suspended and the following bills were read a third time by title, passed, and ordered to be sent to the Senate for concurrence.

House Bill No. 15, An act in amendment of Chapter 186 of the Public Statutes relating to wills.

House Bill No. 20, An act to establish a New Apportionment for the assesement of Public Taxes.

On motion of Mr. Aiken of Franklin it was voted that when the House adjourns today it adjourn until 11 o'clock tomorrow.

On motion of Mr. Hutchins at 1.55 out of respect to the memory of the late Honorable Sherman E. Burroughs, the House adjourned.

JOINT RULES  
*of the*  
SENATE AND HOUSE OF REPRESENTATIVES.

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SESSION OF 1923.

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|------------------------------------|---|
| 1. Convention of senate and house. | 7. Joint committees.                          |
| 2. Messages, by whom sent.         | 8. Bills, titles and contents of.             |
| 3. Messages, when received.        | 9. Bills rejected by one house.               |
| 4. Messages, by whom announced.    | 10. Each house to transmit papers.            |
| 5. Bills, between the houses.      | 11. Bills to be transmitted before what time. |
| 6. Engrossed bills.                | 12. Bill, when defeated.                      |
|                                    | 13. Time for introducing bills.               |

1. When a convention of the two houses is to be formed, whether by a requirement of the constitution, or by a vote or resolve of the two houses, a message shall be sent from the House of Representatives to the Senate, giving notice when the House will meet the Senate in convention. As soon thereafter as the convenience of the Senate will permit, they will attend in the House. The Speaker of the House shall be chairman of the convention, and shall state the reasons for forming the convention. When the House and Senate are thus formed in convention, the rules adopted as the rules of the House shall be considered the rules of the convention, so far as they may be deemed applicable, and the convention shall accordingly be governed thereby.

2. Messages shall be sent by such person or persons as each House may deem to be proper.

3. Messages from either House shall be received from the other at all times, except when engaged in putting a question, in calling the yeas and nays, in counting the ballots, or in reading the Journal.

4. When a message shall be sent from either House to the other, it shall be announced at the door of the House to which it may be sent, by the doorkeeper.

5. While bills are on their passage between the two houses, they shall be under the signature of the clerk of each House respectively.

6. There shall be a committee for the purpose of engrossing bills, consisting of two members of each House. All bills that passed both Houses shall be delivered to said committee, be by them engrossed, carefully examined, and reported to the respective Houses; and shall be signed first by the Speaker of the House of Representatives, and then by the President of the Senate.

If the examination of a bill before its engrossment shall disclose any clerical error or formal imperfection, said committee shall report it back to the respective Houses, with such amendments as are required to correct the same; and any measure so reported shall be subject to amendment in those particulars and in no other respect.

7. There shall be a committee, to consist of three members of the House and one of the Senate, on each of the following subjects, to wit: On all matters relative to the state library, and on all matters relative to the state house and state house yard.

8. Every bill or joint resolution, repealing or modifying any act or statute, shall refer to the same by the section and chapter of the Public Statutes, if such act or statute is contained therein, otherwise by its section and chapter and the session of the legislature when the same was passed; such bill or joint resolution shall also be expressed in words clearly with full reference to all amendments in sequence, so that it shall not be necessary to refer to any other act or statute to ascertain the meaning thereof. The title of every bill or joint resolution shall indicate, in brief and comprehensive form, the subject-matter contained in the bill or joint resolution. It shall be the duty of the presiding officer of each branch of the legislature to require all such bills or resolutions to be made in conformity with this rule, before putting any vote thereon, except to commit or amend.

9. When a bill or resolve which shall have passed in one

House is rejected in the other, notice thereof shall be given to the House in which the same shall have passed.

10. Each House shall transmit to the other all papers on which any bill or resolve may be founded.

11. Each House shall transmit to the other all bills which have passed their several stages in the House in which they originated, at least twenty-four hours before the time fixed for adjournment.

12. After each House shall have adhered to its disagreement, a bill or resolve shall be considered lost.

13. No bill, joint resolution, claim outstanding on the first day of the session, or petition relating to new business shall be received in either branch of the legislature after the third week of the session, unless reported from a committee; provided that this rule may be suspended in either House whenever two thirds of the whole number of members shall, on division taken, vote in favor thereof, and not otherwise.

## RULES OF THE HOUSE.

SESSION OF 1923.

THE DUTY OF THE  
SPEAKER.

## Article

1. Shall call the house to order, when.
2. Shall preserve decorum and order; appeal.
3. Shall put questions in prescribed form.
4. Shall rise to put question.
5. Shall appoint committees, unless.
6. Shall refer acts, etc., to committees, unless.
7. Shall not vote unless.
8. Shall sign all acts, resolutions, writs, etc.
9. May clear galleries.
10. May admit to floor of house.
11. May substitute member for one day.

## OF DECORUM AND DEBATE.

12. Members shall rise and address speaker.
13. Questions of order; appeal.
14. Members first rising shall speak first.
15. Member not to speak more than twice, etc.
16. Members, decorum of.
17. Members shall not vote, when.
18. Members shall vote, unless.
19. Motion reduced to writing, seconded, stated.
20. Relating to petitions.
21. Motion when in possession of house.
22. Motions, order of precedence.

23. Previous question, how put, etc.
24. Previous question, debate upon.
25. Previous question, if decided in negative.
26. Indefinite postponement.
27. Division of question; amendment.
28. Commitment and amendment.
29. No substitute, under color of amendment.
30. Reconsideration, motion for.
31. Objection to reading paper, how determined.
32. Member excused from committee service.
33. Members, absent only by leave.
34. Tellers, duties of.

OF COMMITTEES AND  
THEIR DUTIES.

35. Standing committees enumerated; number serving on each stated; and duties defined.
36. All other committees, number of.
37. Relating to meetings of committees.
38. Committee, chairman of; reports of.
39. Special committees.

## OF BILLS.

40. How introduced.
41. Shall be clearly expressed.

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| <p>42. Shall have three readings; progress of; time for second and third readings.</p> <p>43. Amended only on second reading; bills and resolutions, how filed.</p> <p>44. Assistant clerk may carry bills to senate.</p> <p>45. Shall be numbered.</p> <p>46. House bills printed, distributed and disposed of.</p> <p>47. Amended bills printed, distributed and disposed of.</p> <p>48. Appropriating money, to whom referred.</p> | <p>49. Rules of house; how rescinded or suspended.</p> <p>OF THE COMMITTEE OF THE WHOLE HOUSE.</p> <p>50. House may resolve itself into committee; chairman of.</p> <p>51. Procedure in.</p> <p>52. Rules of.</p> <p>ORDER OF BUSINESS OF THE DAY.</p> <p>53. Petitions, reports of committees, etc.</p> <p>54. Unfinished business shall have preference.</p> |
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#### OF THE DUTY OF THE SPEAKER.

1. The Speaker shall take the chair at precisely the hour to which the House shall have adjourned, and shall immediately call the members to order.

2. He shall preserve decorum and order, may speak on points of order in preference to other members, rising from his seat for that purpose, and shall decide questions of order, subject to an appeal to the House by any two members.

3. Questions shall be distinctly put in this form, to wit: "As many as are of opinion that (as the case may be) say aye"; and after the affirmative vote is expressed, "Those of a contrary opinion say No." If the Speaker doubts or a division is called for, the House shall divide. Those in the affirmative of the question shall first rise from their seats and shall stand till they be counted, and afterwards those in the negative shall rise and stand till they be counted. The Speaker shall then rise and state the decision of the House.

4. He shall rise to put a question, but may state it sitting.

5. All committees shall be appointed by the Speaker unless otherwise directed by the House.



6. The Speaker shall designate to which of the standing committees all memorials, petitions, accounts, or other matters shall be referred, unless otherwise ordered by the House.

7. The Speaker shall not be called upon to vote unless the House be equally divided, or unless his vote, if given to the minority, will make the division equal; and in case of such equal division the question shall be lost.

8. All acts, addresses, and joint resolutions shall be signed by the Speaker; and all writs, warrants or subpoenas, issued by order of the House, shall be under his hand and seal attested by the clerk.

9. In case of any disturbance or disorderly conduct in the galleries, the Speaker or chairman of the committee of the whole House shall have the power to order the same to be cleared.

10. No person but the members and officers of the House, members of the council and members of the Senate, the secretary of state, treasurer, and clerks of the Senate shall be admitted within the door of the Representatives' chamber unless by invitation of the Speaker, or some member of the House with the consent of the Speaker, except in public hearings, parties, their counsel and witnesses, under the direction of the Speaker.

11. The Speaker shall have power to substitute any member to perform the duties of the chair, such substitution not to extend beyond one legislative day.

#### OF DECORUM AND DEBATE.

12. When any member is about to speak in debate, make a motion, or deliver any matter to the House, he shall rise from his seat and respectfully address himself to the Speaker.

13. If any member transgress the rules of the House, the Speaker shall, or any member may, call him to order; in which case the member so called to order shall immediately sit down, and the question of order shall then be distinctly stated from the chair; and in all cases where a member shall be called to order for uttering disrespectful words, upon the

request of any member the words objected to shall be reduced to writing by the member so calling to order; after which the member so called to order may explain, and the question shall be open to debate, as in other cases, and decided by the Speaker, whose decision shall be submitted to unless an appeal be made to the House, by a member, in which case the only question shall be, "Is the Speaker's decision correct?" which shall be decided without debate. If the decision be in favor of the member called to order, he may proceed; if otherwise, and the case may require it, he shall be liable to the censure of the House.

14. In all cases the member first rising shall speak first. When two members rise at the same time, the Speaker shall name the person to speak.

15. No member shall speak more than twice on the same question without leave of the House; nor more than once until every member choosing to speak shall have spoken.

16. While the Speaker is putting any question, or addressing the House, no one shall walk out of or across the House; nor in such case, or when a member is speaking, shall entertain private discourse; nor, while a member is speaking shall pass between him and the chair; nor shall any member leave his seat while the yeas and nays are calling.

17. No member shall vote on any question in the event of which he is directly interested; nor in any case where he was not present when the question was put; nor sit upon any committee when he is directly interested in the question under consideration. In case of such interest of a member of a committee, the fact shall be reported to the House, and another person substituted on that question in his place.

18. Every member who shall be in the House, when a question is put shall give his vote, unless the House, for special reason, shall excuse him.

19. No motion shall be debated until the same shall be seconded and stated from the chair; and when a motion shall be made and seconded, it shall be reduced to writing, if desired by the Speaker or any member, and delivered at the

table, and read by the Speaker, before the same shall be debated.

20. No petition shall be received by the House unless it be presented by a member thereof, nor until the substance of said petition be concisely minuted, and the name of the member, and the town he represents, recorded upon the back thereof; and it shall be the duty of the Speaker to state, in the first place, the substance of the petition as minuted on the back thereof.

21. After a motion is stated by the Speaker, it shall be in possession of the House, but may be withdrawn at any time before an amendment.

22. When any question is under debate, no motion shall be received, but first, to adjourn; second, to lay on the table; third, for the previous question; fourth, to postpone indefinitely; fifth, to postpone to a certain day; sixth, to commit; seventh, to amend; which several motions shall have precedence in the order in which they are arranged. Motions to adjourn, to lay on the table, for the previous question, and to take from the table, shall be decided without debate.

23. The Speaker shall put the previous question in the following form: "Shall the main question now be put?" and all debate upon the main question shall be suspended until the previous question has been decided. After the adoption of the previous question, the sense of the House shall forthwith be taken upon pending amendments, in their regular order, and then upon the main question. The motion for the previous question shall not be put unless demanded by three members.

24. All incidental questions of order arising after a motion for the previous question and related to the subjects affected by the order of the previous question shall be decided without debate.

25. If the previous question is decided in the negative, it shall not be again in order until after adjournment, but the main question shall be left before the House and disposed of as though the previous question had not been put.

26. When a question is postponed indefinitely, the same shall not be acted upon during the session except by unanimous consent.

27. Any member may call for a division of the question when the sense will admit of it; and upon a motion to amend, a refusal to strike out words shall neither preclude amendment to such words nor a motion to strike out and insert.

28. A motion for commitment, until it is decided, shall preclude all amendments to the main question; and all motions and reports may be committed at the pleasure of the House.

29. No new motion shall be admitted, under color of amendment, as a substitute for the motion under debate.

30. No vote shall be reconsidered, unless the motion for reconsideration be made by a member who voted with the majority, nor unless the notice of such motion be given on the same day on which the vote passed, or on the next day on which the House shall be in session, between the hours of 10 and 12 o'clock.

31. When the reading of a paper is called for and objected to by any member it shall be determined by a vote of the House.

32. Any member may excuse himself from serving on any committee at the time of his appointment, if he is then a member of two other committees which have not reported.

33. Each member shall seasonably and punctually attend to his duty in the House, and no one shall absent himself from the service of the House unless he have leave, or be sick and unable to attend.

34. The Speaker shall appoint a teller for each division of the House, whose duty it shall be to report to the chair the state of the vote, whenever a division of the House is called for.

#### OF COMMITTEES AND THEIR DUTIES.

35. The following standing committees shall be appointed early in the January session:

A committee on revising and compiling the laws of the state; a committee on national affairs; a committee on elec-

tions; a committee on the judiciary; a committee on banks; a committee on the state prison; a committee on insurance; a committee on the state agricultural college; a committee on agriculture; a committee on manufactures; a committee on appropriations; a committee on retrenchment and reform; a committee on military affairs; a committee on education; a committee on the state normal schools; a committee on incorporations; a committee on towns; a committee on county affairs; a committee on labor; a committee on state hospital; a committee on railroads; a committee on roads, bridges, and canals; a committee on unfinished business; a committee on mileage; a committee on fisheries and game; a committee on the industrial school; a committee on soldiers' home; a committee on claims; a committee on forestry; a committee on public health; a committee on public improvements; a committee on school for the feeble-minded; a committee on ways and means; a committee on liquor laws, to consist of fifteen members each; with the exception of the Committees on Judiciary, Appropriations, Revision of the Statutes, and on the Agricultural College which shall consist of seventeen members each; a committee on Journal of the House; to consist of three members, one of whom shall be the Speaker; a committee on rules, to consist of five members, one of whom shall be the Speaker.

It shall be the duty of the committee on revising and compiling the laws to consider all matters relating to those subjects and recommend such changes, modifications, and additions as may be desirable; also to consider all bills, resolutions, and reports of committees relating to those subjects which may be referred to it.

It shall be the duty of the committee on national affairs to consider all matters of national concern, all matters referred to the state by the general government, and all matters pertaining to our federal relations, that may be referred to it.

It shall be the duty of the committee on elections to examine and report upon the certificates or other credentials of the election of the members returned to serve in this

House, and to take into consideration all petitions and other matters in relation to elections or returns as shall be presented, or come into question, and shall be referred to it.

It shall be the duty of the committee on the judiciary to take into consideration all matters in relation to the judiciary system of the state; and all matters where a constitutional question is involved. All applications for acts of incorporation which under the rules would be referred to the committee on incorporations or manufactures, shall first be referred to the committee on judiciary to inquire whether the object of the applicants cannot be obtained by voluntary incorporation under the general laws of the state, and shall report accordingly.

It shall be the duty of the committee on banks to consider all applications for the incorporation of banks, and all subjects relating to such institutions that may be referred to it.

It shall be the duty of the committee on the state prison to take into consideration all matters in relation to the state prison, to examine all reports and accounts that may be submitted by the warden, or that may be otherwise referred to it.

It shall be the duty of the committee on insurance to consider all applications for the incorporation of insurance companies, and all subjects relating to insurance companies, domestic and foreign, and whether life, fire, marine, accidental, or of any other character, that may be referred to it.

It shall be the duty of the committee on the state agricultural college to examine into the rules and government of the New Hampshire College of Agriculture and the Mechanic Arts, and all matters connected therewith, and all such other matters as may be referred to it.

It shall be the duty of the committee on agriculture to take into consideration all matters concerning the agricultural interests, and the incorporation of agricultural societies, that shall be referred to it.

It shall be the duty of the committee on manufactures to consider all matters concerning the manufacturing interests

of the state, and all applications for incorporation for manufacturing purposes, which shall be referred to it.

It shall be the duty of the committee on appropriations to examine and take into consideration the state of the treasury, to report what sum it may be necessary to raise as a state tax, and on every subject touching the financial interests of the state that may be referred to it.

It shall be the duty of the committee on retrenchment and reform to take into consideration the public expenditures and all questions relating thereto; and also to consider all questions relating to the subject of administrative reforms in the various departments of the state government that may be referred to it.

It shall be the duty of the committee on military affairs to consider all applications for altering and amending laws regulating the militia of this state, and for the removal of military officers, that may be referred to it.

It shall be the duty of the committee on education to consider all subjects relative to the regulation of school districts and schools, and all matters concerning education that may be referred to it.

It shall be the duty of the committee on the state normal schools to examine in relation to the government of the state normal schools and all matters connected therewith, and all such other matters as may be referred to it.

It shall be the duty of the committee on incorporations to consider all applications for acts of incorporation and all other matters which may come in question relative to bodies, corporate, that may be referred to it, excepting those relating to towns, parishes, turnpikes, railroads, canals, banks, agricultural societies, and factories.

It shall be the duty of the committee on towns to consider all applications for the alteration of town lines by the annexation of one portion of a town to another and all applications for incorporation of towns, by division of towns, or otherwise, that may be referred to it.

It shall be the duty of the committee on county affairs to consider all applications for the alteration of county lines or

the creation of new counties, the salaries of county officers, the settlement of paupers, and all other matters relating to county affairs that may be referred to it.

It shall be the duty of the committee on labor to consider all petitions relating to labor and wages, and all other matters relating thereto that may be referred to it.

It shall be the duty of the committee on state hospital to examine all accounts of the state hospital, particularly of those relating to the expenditure of moneys appropriated by the state; to examine into the rules and government of the institution, and all matters of general interest connected therewith, and all such matters as shall be referred to it.

It shall be the duty of the committee on railroads to consider all petitions for the incorporation of railroads, for alterations, and all matters relative thereto that may be referred to it.

It shall be the duty of the committee on roads, bridges and canals to consider all applications for the incorporation of turnpikes, bridges or canals, and for the alteration of tolls, and all matters relative thereto that may be referred to it.

It shall be the duty of the committee on unfinished business to examine and report, from the journals of the last session, all such matters as were then pending and undetermined.

It shall be the duty of the committee on mileage to ascertain the distance traveled by each member of the House, and report to the House the names of the several members and the mileage allowed to each.

It shall be the duty of the committee on fisheries and game to consider all matters concerning the location, growth, cultivation, protection, improvement, and preservation of fish and game within the state, and all matters relative thereto, which may be referred to it.

It shall be the duty of the committee on the industrial school to examine the rules and government of the institution, and all matters of general interest connected therewith, and all such other matters as may be referred to it.



It shall be the duty of the committee on soldiers' home to consider all matters pertaining to the soldiers' home that may be referred to it.

It shall be the duty of the committee on forestry to consider all matters relating to the forests of the state and public parks that may be referred to it.

It shall be the duty of the committee on public health to consider all matters relating to the health of the inhabitants of the state and vital statistics that may be referred to it.

It shall be the duty of the committee on public improvements to consider all matters pertaining to public improvements in the state that may be referred to it.

It shall be the duty of the committee on school for the feeble-minded to examine the rules and government of the institution, and all matters of general interest connected therewith, and all such matters as may be referred to it.

It shall be the duty of the committee on claims to audit, adjust, and report on all accounts and claims that may be presented for allowance, except accounts for printing, military accounts, and accounts for engrossing bills.

It shall be the duty of the committee on journal of the House from day to day, and before the commencement of the morning session, to examine the journal of the preceding day, and report to the House, at once any errors; *provided, however*, that the journal of the preceding day shall be read at the opening of any morning session whenever requested by any ten members.

It shall be the duty of the committee on ways and means to examine and take into consideration the state of the treasury, to consider and report on all bills and resolutions relating to raising money by a state tax, the apportionment of the same, and all other methods proposed for raising a revenue for the state; and to consider and report upon every other subject touching the financial interest of the state that may be referred to it.

It shall be the duty of the committee on liquor laws to consider all matters pertaining to the liquor laws of the state that may be referred to it.

It shall be the duty of the committee on rules to consider all matters pertaining to the rules of procedure of the House that may be referred to it.

Any bill or joint resolution introduced by a committee, the subject-matter of which is foreign to that which such committee was appointed to consider, as prescribed by this rule, shall not be placed upon its third reading until such bill shall have been referred to and considered by the committee charged with the duty of considering the subject-matter of such bill or joint resolution.

36. All other committees shall consist of three members, unless otherwise ordered.

37. The standing committee shall attend at their respective committee-rooms two hours before the meeting of the House in the morning, and at such other times as the House shall order; and no committee shall sit during the sitting of the House unless when the Speaker shall consider it necessary. The committee shall promptly consider and report on all matters referred to them.

38. The first named member of any committee appointed by the Speaker of the House shall be chairman; and in case of his absence, or being excused by the House, the next named member, and so on, as often as the case may happen, unless the committee by a majority of the number, elect a chairman. And when any committee shall report otherwise than by bill, they shall, if the subject admit of it, subjoin to their report a resolution making such disposition of the matter committed to them as to the committee shall seem expedient.

39. Whenever it shall not be convenient for any standing committee to attend properly to all the business which may be properly referred to it, the Speaker may, on a vote of the House to that effect, appoint an additional committee on the same subject, to consist of the same number of members as the original committee, whose duty it shall be to take into consideration all matters in relation to that subject which shall be referred to it by the House, and to report thereon.

## OF BILLS.

40. All petitions, memorials and other papers addressed to the House and all bills and resolutions to be introduced in the House, shall be endorsed with the name of the person or committee presenting them, with the subject-matter of the same, and shall be placed by the members presenting them in a box provided for the purpose by the clerk. The Speaker shall take them up for introduction at the morning session.

41. Every bill and resolution originally introduced into the House shall be expressed in words clearly, so that it shall not be necessary to refer to any other act or statute to ascertain the meaning thereof.

42. Every bill shall have three several readings in the House previous to its passage. The first reading shall be for information; and thereupon if it be not rejected or otherwise disposed of by the House, the question shall be, "Shall the bill be read a second time?" and if ordered to a second reading it shall immediately be read a second time by its title, be laid upon the table to be printed under Rule 46, and be by the Speaker referred to the appropriate standing committee, unless otherwise ordered by the House. No bill after it has been read a second time shall have a third reading until after an adjournment. The time assigned for the third reading of bills and resolutions shall be three o'clock in the afternoon, unless otherwise ordered by the House.

43. No amendment shall be made but upon the second reading of a bill or joint resolution; and all bills and resolutions shall be in writing, with the name of the member and the town he represents on the back thereof. The orders of the day for the reading of bills and joint resolutions shall hold for every succeeding day until disposed of.

44. All bills, and all votes and resolutions that are necessary to be carried to the Senate for their concurrence,<sup>§</sup> may be sent by the assistant clerk.

45. Every bill shall be marked on the first page "House bill," and every joint resolution shall be marked "House joint resolution," and each bill and resolution shall be regularly numbered, beginning with No. 1, and continuing con-

secutively, as each bill or joint resolution is introduced into the House.

46. Every bill and joint resolution introduced into the House, either by a member or by a committee, shall be declared by the Speaker laid upon the table, after it has been read a second time, and the clerk shall procure a sufficient number of copies, printed on paper of uniform size, for the use of the House, and cause the same to be distributed to the members, and when printed the bill shall be immediately delivered to the committee to which it shall have been referred. Bills and joint resolutions received from the Senate shall be printed at the same stage of their procedure unless they have been printed in the Senate and copies distributed in the House.

47. When a bill or joint resolution is reported favorably with an amendment, the report of the committee shall state the amendment and then recite the section of the bill or resolution in full as amended. The bill or resolution, if the change is material, shall then be laid upon the table to be printed and distributed as required by rule 46 and when so printed and distributed the clerk shall, after one day, cause the same to be laid upon the Speaker's table, and it shall be taken up in order without motion and disposed of in the same manner as it would have been had it not been declared laid upon the table.

All bills or joint resolutions otherwise reported shall be laid upon the table and shall not be finally acted upon until the following legislative day, and a list of such bills or joint resolutions with the report thereon shall be published in the journal of proceedings for the day on which they were reported.

48. All bills and joint resolutions appropriating money, reported from any committee, shall be referred to the committee on appropriation for revision.

49. No standing rule or order of the House shall be rescinded without one day's notice being given of the motion therefor; nor suspended, unless by a vote therefor of two thirds of the members present.

## OF THE COMMITTEE OF THE WHOLE HOUSE.

50. The House may resolve itself into committee of the whole House at any time, on the motion of a member made for that purpose; and in forming a committee of the whole House the Speaker shall leave the chair, and a chairman to preside in committee shall be appointed by the Speaker.

51. Upon bills and resolutions committed to a committee of the whole House, the bill or resolution shall first be read throughout by the clerk, and then again read and debated by clauses, leaving the preamble of the bill to be last considered; the body of the bill or resolution shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the clerk on a separate paper, as the same shall be agreed to by the committee and so reported to the House. After report, the bill or resolution shall again be subject to be debated and amended by clauses before a question to pass it to a third reading be taken.

52. The rules of proceeding in the House shall be observed in committee of the whole House, so far as they may be applicable, except the rule limiting the time of speaking.

## ORDER OF BUSINESS OF THE DAY.

53. The Speaker shall call for petitions from members of the House. The petitions having been presented and disposed of, reports first from the standing and then from the select committees shall be called for and disposed of. And the above business shall be done in no other part of the day, except by permission of the House.

54. The unfinished business in which the House was engaged at the last preceding adjournment, if called for by any member, shall have the preference over all other business except the general order of the day; and no motion, or any other business except the general order of the day, shall be received without special leave of the House, until the former is disposed of.

WEDNESDAY, JANUARY 31, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

Mr. Wheeler of Nashua announced the death of the Hon. James H. Hunt of Nashua, Senator from the 12th District.

On motion of Mr. Wheeler of Nashua it was voted that the Speaker appoint a committee of five to prepare resolutions on the death of Senator Hunt, and to attend the funeral.

#### LEAVES OF ABSENCE.

Mr. Cox of Manchester was granted leave of absence for the day on account of illness.

Messrs. Blais of Manchester, Balch of Bennington, Ashley of Dorchester, Sanborn of Salisbury were granted leave of absence for the day on account of business engagements.

#### REPORT OF COMMITTEE.

Mr. Hutchins of Berlin, for the Committee on Judiciary, reported the following bill: House Bill No. 285, An act to change the corporate name of the Exeter Cottage Hospital, with the recommendation that the bill ought to pass.

The bill was read a first and second time.

On motion of Mr. Martin of Concord it was voted that the bill be not printed, the rules suspended and the bill be read a third time.

The bill was read a third time. The question being: Shall the bill pass? the vote was in the affirmative and the bill ordered to be sent to the Senate for its concurrence.

#### COMMITTEE ORGANIZATION.

The Committee on National Affairs announced that it had organized by the selection of Mr. Wheelwright of Webster, clerk.

#### SPECIAL ORDER.

Mr. Stevens of Landaff called for the Special Order, it being the House Resolution in relation to the re-convening of the Constitutional Convention.

Discussion ensued in which Messrs. Wood of Portsmouth, Bass of Peterborough, Lee of Concord, Martin of Concord, Barry of Nashua, and Murdock of Hill in favor of the resolution and Mr. Hoyt of Sandwich against the resolution, took part.

Mr. Tobey of Temple moved the previous question. The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being: Shall the resolution of the Committee on Ways and Means be adopted? Mr. Stevens of Landaff called for the yeas and nays and the roll was called with the following result:

YEAS, 309.

ROCKINGHAM COUNTY: Wheeler of Atkinson, Griffin of Auburn, Pike, Tenney of Chester, Johnson of Danville, White, MacMurphy, Senecal, Taylor, Batchelder, Swain, Daniell, Randall, Blodgett, Kent, Pridham, Connor of Newfields, Labranche, Rousseau, Wardman, Steward, Caldwell, Dowdell, Weeks of Portsmouth, Scruton, Trafton, Wood of Portsmouth, Casey, Cronin, Cox of Portsmouth, Kane, Bartlett of Raymond, Rand, Coles, Cowan, Felch.

STRAFFORD COUNTY: Durkin, Howard of Dover, O'Neill, Jr., Fernald, Webb, Jenelle, Roberts of Dover, Ryan, Durnin, Fogg, Knox, Comings, Stevens of Milton, Gotts, Edgerly, Gelinas, Marcoux, Lowe, Davis of Rollinsford, Girard, Cote, Gagne, Hanagan, Houle of Somersworth, Heon, Preston.

BELKNAP COUNTY: Jones of Alton, Weeks of Gilford, Goodwin, Dunlap, Kempton, Normandin, French, Laycock, Badger, Gordon of New Hampton, Wright, Sanborn of Tilton, Smith of Tilton.

CARROLL COUNTY: Hamlin, Currier of Conway, Ela, Fulton, Philbrick, Smart, Fall, Thomas, Lord of Wakefield.

MERRIMACK COUNTY: Desroche, Rollins, Albee, Sanborn of Bradford, Tallman, Rolfe, Robinson of Concord, Phillips, Lyford, Newton of Concord, Cressy, Kendall, Martin of Concord, Roby, Carleton of Concord, King of

Concord, Winant, Lee, Gannon, Lund, Fowler, Aiken, Garneau, Mahan, Judkins, Newton of Franklin, Murdock, Chaney, LaSalle, Walker of Hopkinton, Hill of Loudon, Carter, Bellerose, Martin of Pembroke, Cheney of Pittsfield, Jackson, Wells of Sutton, Johnson of Warner, Wheelwright.

HILLSBOROUGH COUNTY: Ford, Flint, Clark of Bedford, Rockwood, Hoyt of Frankestown, Russell, Childs, Hardy of Hollis, Merrill of Hudson, Spaulding of Hudson, Putnam, Cronan, Dodge of Manchester, Bartlett of Manchester, DeMoulied, Lord of Manchester, Yantis, Hartford, Johnson of Manchester, Moquin, Murphy of Ward 3, Manchester, Nyberg, Burns of Manchester, Grant, Kelley of Ward 4, Manchester, Fitzgerald, Clancy, Connor, Coyne, Creighton, Fleming, Kelley of Ward 5, Manchester, Kenney, Laughlin, McNulty, Barry of Manchester, Burke, Currier of Manchester, Murphy of Ward 6, Manchester, Sibley, Smith of Manchester, Carr, Foye, Healey, Jr., Quinn, Sullivan of Manchester, Bouchard, Donnelly, Leonard, McLaughlin, Morin, Conboy, McBride, Riley, Rourke, Getz, LeClerc, Ploss, Craig, Gowitzke, McDonnell, Roukey, Gauthier of Ward 12, Manchester, Lamy, Maynard, Pecor, St. Germain, Dionne, Duval, Gagnon, Gauthier of Ward 13, Manchester, Remillard, Gordon of Merrimack, Lovejoy, Ordway, Robinson of Milford, Wheeler of Nashua, Eaton, Pentland, Boilard, Dube, Trombly, Spillane, Sullivan of Ward 4, Nashua, Sullivan of Ward 5, Nashua, Burns of Nashua, Cotton of Nashua, Doyle, Lyons, Barry of Nashua, Hallisey, Rigney, Sylvestre, Bilodeau, Girouard, Papachristos, Christie, Carleton of Pelham, Bass, Smith of Peterborough, Tobey, Eastman of Weare, Hickey.

CHESHIRE COUNTY: Blake, Bemis, Duncan, Callahan, Spring, Reed, Barrett of Keene, Gates, King of Keene, Landers, Tuttle, Huntley, Ball, Dickinson, McGinness, Burt, Kellom, Qualters.

SULLIVAN COUNTY: Barry of Charlestown, Brooks, Etsler, Nichols, Pierce of Claremont, Wolcott, Franklyn, Barton, Thornton, Bluitte, Robinson of Newport, Colby, Gardner, Osborne, Walker of Unity.



GRAFTON COUNTY: Hardy of Ashland, Southard, Parker, Barrett of Bethlehem, Webster, Hill of Enfield, Chellis, Bridgman, Davison, Lang, Page, Stevens of Landaff, Eastman of Lebanon, Howard of Lebanon, McNamara, Waterman, Hallett, Price, Houle of Littleton, Nourse, Elms, Converse, Frazer, Harris, Sherwood, Fadden, Cotton of Warren, Sawyer.

COOS COUNTY: Keleher, Pierce of Berlin, Griffin of Berlin, Young of Berlin, Blais of Berlin, Hutchins of Berlin, Labrie, Hunt, Frizzell, Young of Colebrook, Sims, Ferren, McHugh, Mortensen, Pottle, McIntire, Smith of Northumberland, Nutting, Watson, Hutchins of Stratford, Brown, Snow.

#### NAYS, 42.

ROCKINGHAM COUNTY: Knights, Hobbs, Farmer of Hampton Falls, Bartlett of Kingston, Littlefield, Dow of North Hampton.

STRAFFORD COUNTY: Cloutman, Meader.

BELKNAP COUNTY: Sanborn of Center Harbor, Avery, Jewett, Merrill of Laconia, Holt, Roberts of Meredith.

CARROLL COUNTY: Chick, Blanchard, Hoyt of Sandwich, Hale.

MERRIMACK COUNTY: Grimes, Cheney of Concord, Danforth, Cutting.

HILLSBOROUGH COUNTY: Davis of Goffstown, Weston, Winslow, Walker of New Ipswich.

CHESHIRE COUNTY: Garfield, Mason, Empey, Davis of Stoddard, King of Walpole, Wells of Walpole.

SULLIVAN COUNTY: Barney, Glynn.

GRAFTON COUNTY: Collins, Pulsifer of Campton, Rudd, Ross, Stanley.

COOS COUNTY: Moore, Rowden, Wood of Stewartstown.

Mr. Smith of Portsmouth voting yes was paired with Mr. Lewis of Newport voting no.

Mr. Cross of Hanover voting yes was paired with Mr. Clow of Wolfeboro voting no.

Mr. Godbout of Manchester voting yes was paired with Mr. Ashley of Dorchester voting no.

Mr. Stevens of Landaff called for the second Special Order, it being House Joint Resolution No. 28, Joint resolution recommending the re-convening of the Constitutional Convention and appropriating money therefor.

On motion of Mr. Cheney of Concord it was voted that the rules be suspended, the resolution read a third time and put upon its passage.

The question being: Shall the resolution be read a third time?, the vote was in the affirmative.

The resolution having been read a third time the question was: Shall the resolution pass?, and the vote being in the affirmative, the resolution was ordered to the Senate for concurrence.

Mr. Duncan of Jaffrey called for the third Special Order, it being House Bill No. 78, An act in amendment of Section 1, Chapter 76, Laws of 1897, relating to Hawkers and Peddlers.

On motion of Mr. Duncan of Jaffrey it was voted that the bill be re-committed to the Committee on Judiciary.

On motion of Mr. Wheeler of Nashua, at 1.05 the House adjourned from the morning session out of respect to the memory of the late Senator Hunt.

#### AFTERNOON.

Mr. Barrett of Bethlehem having duly qualified before his Excellency the Governor appeared and took his seat.

Pursuant to a previous vote the Speaker announced the following committee, for the preparation of resolutions upon the death of the late Senator Hunt of Nashua:

Wheeler of Nashua, Barry of Nashua, Smith of Manchester, Ordway of Milford, and Hickey of Wilton.

#### THIRD READINGS.

The following House bills were severally read a third time, by title, on motion of Mr. Kenney of Manchester, passed, and ordered sent to the Senate for concurrence:

House Bill No. 23 (In New Draft), An act Regulating the Practice of Chaining Wheels on Hills.

House Bill No. 25, An act amending Section 2 of Chapter 189 of the Laws of 1917, relating to Taxation of Deposits in Banks in other States.

House Bill No. 56, An act in amendment of Section 3, Chapter 29, Laws of 1893, as amended by Section 1, Chapter 67, Laws of 1897, Section 1, Chapter 14, Laws of 1913, Section 1, Chapter 171, Laws of 1915, and Section 1, Chapter 49, Laws of 1917, relating to Highway Agents.

House Bill No. 59, An act to amend an act to Establish a Corporation by the Name of the Trustees of the New Hampshire Conference Seminary and the New Hampshire Female College, approved December 29, 1852, and other acts amending the same.

House Bill No. 82, An act in amendment of Section 5 of Chapter 46 of the Laws of 1897, relating to the License Fee of Itinerant Vendors.

House Bill No. 112, An act in amendment of Chapter 268 of the Laws of 1889, entitled "An act to Incorporate the Woodsville Guaranty Savings Bank."

His Excellency the Governor then came in and with him Mr. Alvin M. Owsley, National Commander of the American Legion, who addressed the House.

On motion of Mr. Stevens of Landaff at 4.05 the House adjourned.

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## THURSDAY, FEBRUARY 1, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

### CHANGES IN COMMITTEE APPOINTMENTS.

Mr. Thayer of Concord having tendered his resignation as a member of the Judiciary Committee because of illness, Mr. Davison of Haverhill was appointed on the Judiciary Committee to fill the vacancy.

Mr. Davison having resigned from the Committee on Revision of Statutes, Mr. Batchelder of Exeter was appointed to fill that vacancy.

In conformity with the rules, Mr. Hamlin of Bartlett was appointed to fill a vacancy in the Committee on Agricultural College.

Mr. Laycock of Laconia and Mr. Philbrick of Freedom were appointed to fill vacancies on the Committee on Revision of Statutes.

#### CHANGE IN COMMITTEE REFERENCE.

On motion of Mr. Cross of Hanover, it was voted that the vote by which House Bill No. 90, An act in relation to bounties on Hedgehogs was referred to the Committee on Fish and Game be reconsidered and the bill referred to the Committee on Agriculture.

#### LEAVES OF ABSENCE.

Messrs. Dowdell of Portsmouth, O'Neil of Dover, Ashley of Dorchester, Sins of Columbia, Young of Colebrook and Mrs. Yantis of Manchester were granted leave of absence for the day on account of business.

Mr. Jones of Keene was granted indefinite leave of absence on account of illness.

Messrs. Nourse of Littleton, Cox of Manchester, Bouchard of Manchester were granted leave of absence for the day on account of illness.

Messrs. Cobleigh and Papachristos of Nashua were granted leave of absence for the week of February 5 on account of important business.

#### REPORTS OF COMMITTEES.

Mr. Davis of Stoddard for the Committee on Claims to whom was referred House Joint Resolution No. 13, Joint resolution in favor of Hubert J. Kennedy, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Wright of Sanbornton for the Committee on Judiciary to whom was referred House Bill No. 3, An act to provide

for a revision of the Public Statutes, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, the subject matter being covered by another bill favorably reported.

The report was accepted and the resolution of the committee adopted.

Mr. Wright of Sanbornton for the Committee on Judiciary to whom was referred House Bill No. 6, An act to provide for a revision of the Public Statutes, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, the subject matter being covered by another bill favorably reported.

The report was accepted and the resolution of the committee adopted.

Mr. Jewett of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 11, An act to legalize the election of Nov. 7, 1922, in the Town of Brookline, reported the same with the following resolution:

*Resolved*, The bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Landers of Keene for the Committee on Judiciary, to whom was referred House Bill No. 13, An act to Legalize Votes and Proceedings of Town of Hopkinton at the biennial election held Nov. 7, 1922, reported the same with the following resolution:

*Resolved*, That the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Gagne of Somersworth for the Committee on Judiciary, to whom was referred House Bill No. 35, An act in Amendment of Chapter 121, Section 1, Laws of 1919, relating to the fiduciary powers of Banks and Trust Companies, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

On motion of Mr. Wheeler of Nashua, the bill was recommended to the Committee on Judiciary.

Mr. Cronin of Portsmouth, for the Committee on Judi-

ciary, to whom was referred House Bill No. 36, An act in amendment of Section 40, of the Business Corporation Law, reported the same with the following amendment and recommending its passage as amended.

Amend the bill in line 13 of Section 1, by adding after the word "present" in said line the words "or represented by proxy," so that said section as amended will read as follows:

SECTION 1. Sect. 40 of the Business Corporation Law, being Chapter 92, of the Laws of 1919, as amended by Chapter 97, of the Laws of 1921, is hereby amended by striking out said section and inserting in place thereof the following:

"SECT. 40. Every corporation chartered by the legislature or organized under the laws of this state, whose objects of incorporation are such as may be exercised by a business corporation under the provisions of this act, may avail itself of the provisions of this act and may bring itself and its stockholders, directors and officers under its provisions so far as applicable, by vote of holders of two-thirds of its stock present or represented by proxy and voting at a meeting duly called for the purpose, adopting the provisions of this act, and by complying with the other provisions of this section. The corporation shall cause a copy of the vote adopting the provisions of this act, attested by its clerk, to be recorded in the office of the secretary of state, together with a certificate signed and sworn to by its president and treasurer, and at least a majority of its directors, setting forth (a) the total amount of its capital stock authorized; (b) the amount of its stock issued and outstanding; (c) the net value of its property, rights and franchises in excess of its indebtedness; and (d) a balance sheet showing its assets and liabilities at the close of its last fiscal year. Said corporation shall also record with the secretary of state a supplementary statement of any other material facts which may be required by the attorney-general or the assistant-attorney general. It shall be the duty of the attorney-general or assistant-attorney-general within thirty days after the filing of such certificate or supplementary

statement, to examine the charter or articles of association of the corporation, the copy of the vote adopting the provisions of this act, and the certificate and supplementary statement provided for by this section, and if the facts therein stated show that the net value of the property, rights and franchises of said corporation in excess of its indebtedness at least equals the par value of its outstanding stock, and that the objects of the corporation are such as may be exercised by a business corporation under the provisions of this act, he shall record his certificate thereof with the secretary of state. The corporation shall thereupon pay to the secretary of state a certification fee determined by its total authorized capital stock at the rate prescribed in Section 37; and upon and after the payment of such fee, the corporation, and its stockholders, officers and directors shall be entitled to the powers, privileges and immunities and be subject to the duties, liabilities and obligations provided by this act and not otherwise, in all respects as if said corporation were organized under the provisions hereof on the date of such payment; *provided, however*, that any liability of such corporation or its stockholders, officers or directors or any of them, existing on said date, under or by virtue of any other law or statute of this state, shall not be affected. Any person who shall subscribe or make oath to any certificate provided for by this section, which shall contain any false statement, known by such person to be false, shall upon conviction thereof be fined not exceeding five thousand dollars or imprisoned not exceeding five years or both, and shall also be individually liable to any stockholder of the corporation or other person for actual damages caused by or sustained by reason of such false statement."

On motion of Mr. Lyford of Concord, it was voted that the reading of the amendment be dispensed with and that the bill as amended be tabled to be printed.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has passed the following Joint

resolution, in the passage of which it asks the concurrence of the House of Representatives:

Senate Joint Resolution No. 3, Joint resolution authorizing the Finance Committee of the Governor's Council to investigate and report facts in regard to the administration of state affairs by the several departments and state institutions.

#### COMMITTEE REPORTS CONTINUED.

Mr. Lyford of Concord, for the Committee on Judiciary, reported the following entitled bill, House Bill No. 287, An act to amend the charter of Keene Academy, with the recommendation that the bill ought to pass.

On motion of Mr. Fernald of Dover, the bill was read a first and second time by its title and ordered to the table to be printed, and taken up in its regular order.

Mr. Wright of Sanbornton, for the Committee on Judiciary, to whom was referred House Bill No. 41, An act to provide for a Revision of the Public Laws, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Jewett of Laconia for the Committee on Judiciary to whom was referred House Bill No. 43, An act in amendment of Section 3, Chapter 193, Laws of 1917, relating to the appointment of banks and trust company as trustees, reported the same with the following resolution:

*Resolved*, It is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Landers of Keene for the Committee on Judiciary to whom was referred House Bill No. 55, An act to legalize the biennial election held November 7, 1922 in the Town of Amherst, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Smith of Peterborough for the Committee on Ju-



diciary to whom was referred House Bill No. 52, An act to define, regulate and license real estate brokers and real estate salesmen; To create a state real estate Commission; and to provide a penalty for a violation of the provisions thereof, reported the same with the following resolution:

*Resolved*, It is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Landers of Keene for the Committee on Judiciary, to whom was referred House Bill No. 63, An act to legalize the biennial election held on Nov. 7, 1922, in the Town of Marlow, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Landers of Keene for the Committee on Judiciary, to whom was referred House Bill No. 77, An act to legalize the biennial election held Nov. 7, 1922, in Town of Warren, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Jewett of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 79, An act in amendment of Section 7, Chapter 58, Laws of 1915, entitled, An act creating a Board of Bank Commissioners and abolishing the office of State Auditor, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Landers of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 92, An act legalizing the biennial election held in the Town of Chesterfield, Nov. 7, 1922, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Gagne of Somersworth, for the Committee on Judi-

ciary, to whom was referred House Bill No. 37, An act in amendment of Section 1 of the Business Corporation Law, reported the same in a new draft, with the recommendation that the bill in its new draft ought to pass.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a first and second time by title, tabled to be printed, and taken up in its regular order.

Mr. Lee of Concord, for the Committee on Public Improvements, reported the following entitled bill, House Bill No. 286, An act to exempt from taxation property in Sutton held for public use by the North Sutton Improvement Society, with the recommendation that the bill ought to pass.

On motion of Mr. Lee of Concord, the bill was read a first and second time, tabled to be printed, and then referred to Committee on Judiciary.

Mr. Currier of Manchester for the Committee on Fish and Game reported the following entitled bill, House Bill No. 288, An act in amendment of Chapter 133, Laws of 1915, as amended by Laws of 1917, 1919 and 1921 in relation to migratory birds, with the recommendation that the bill ought to pass.

Read a first and second time, tabled to be printed, and taken up in its regular order.

Mr. Currier of Manchester for the Committee on Fish and Game reported the following entitled bill, House Bill No. 289, An act in amendment of Chapter 93, Laws of 1921, in relation to the issuance of hunting licenses, with the recommendation that the bill ought to pass.

Read a first and second time and tabled to be printed.

Mr. Martin of Concord for the Committee on Judiciary reported the following Joint resolution, House Joint Resolution No. 43, Joint resolution relating to the valuation of railroads, with the recommendation that the Joint resolution ought to pass.

Read a first and second time.

On motion of Mr. Lyford of Concord, the rules were suspended, the printing dispensed with, and the resolution placed on its third reading. The resolution was read a

third time, and the question being: Shall the Joint resolution pass? the vote was in the affirmative and the Joint resolution ordered to the Senate for concurrence.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following house bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 150 (New Draft), An act in amendment of Section 13, Chapter 123, Laws of 1917, as amended by Section 1, Chapter 115, Laws of 1921, relating to the Governor's Staff.

Insert in Section 1, after the word "guard" in the ninth line, the words "If said aides-de-camp are appointed other than from the national guard or reserve corps."

Insert in said section after the word "staff" in the sixteenth line the words "If said aides-de-camp are appointed other than from the national guard."

Strike out in said section the words "or reserve corps" in the twenty-seventh line.

#### COMMITTEE REPORTS.

Mr. Currier of Manchester for the Committee on Fish and Game, reported the following entitled bill, House Bill No. 290, An act in amendment of Section 23, Chapter 133, Laws of 1915, and Section 20, Chapter 133, Laws of 1915, in relation to pheasants, with the recommendation that the bill ought to pass.

Read a first time. On motion of Mr. Currier of Manchester, it was voted that the bill be recommitted to the Committee on Fish and Game.

Mr. Doyle of Nashua, for the Committee on Revision of the Statutes to whom was referred House Bill No. 242, An act relating to the vaccination of school children, reported the same with the following resolution:

*Resolved*, That the bill be referred to the Committee on Public Health.

The report was accepted and the resolution of the committee adopted.

On motion of Mr. Wheeler of Nashua, it was voted to concur with the Honorable Senate in the adoption of the amendments to House Bill No. 150 (New Draft), An act in amendment of Section 13, Chapter 123, Laws of 1917, as amended by Section 1, Chapter 115, Laws of 1921, relating to the Governor's Staff, recommended by the Committee on Engrossed Bills, and the bill sent to the Secretary of State to be engrossed.

#### SENATE JOINT RESOLUTION INTRODUCED.

Senate Joint Resolution No. 3, Joint resolution authorizing the Finance Committee of the Governor's Council to investigate and report facts in regard to the administration of State affairs by the several departments and State Institutions.

Read a first and second time and referred to the Committee on Judiciary.

On motion of Mr. Gilchrist of Henniker it was voted that when the House adjourn today it adjourn until tomorrow at 9.30 o'clock and that it then adjourn until Monday at 7.30 P. M.

On motion of Mr. Martin of Concord, at 12.45 the House adjourned.

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FRIDAY, February 2, 1923.

The House met at 9.30 o'clock.

Mr. Burke of Manchester moved that the clerk be instructed to obtain 500 extra copies of House Bills No. 14 and 71. It was so voted.

On motion of Mr. Snow of Whitefield at 9.32 the House adjourned.

## MONDAY, February 5, 1923.

The House met at 7.30 o'clock.

The following dispatch was received and read:

Mr. William J. Ahern,

*Speaker, House of Representatives,*

64 Franklin Street, Concord, N. H.

William B. Deal, Representative from Piermont, died February 5. Funeral February 7.

H. R. DEAL.

On motion of Mr. Franklyn of Cornish it was at 7.32 voted that the House adjourn out of respect to the memory of the late William B. Deal, Representative from Piermont.

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TUESDAY, FEBRUARY 6, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

On motion of Mr. Lord of Manchester, it was voted that the Chair appoint a committee to attend the funeral of the late Ex.-Governor Charles M. Floyd. Pursuant to that vote the following committee was appointed:

Lord of Manchester, Murdock of Hill, Blais of Manchester, Spaulding of Goffstown, Kenney of Manchester, and Taylor of Derry.

The following resolution, presented by Mr. Lyford of Concord, was unanimously accepted:

*Whereas*, by the death of Charles M. Floyd, Chairman of the State Tax Commission, former State Senator, Councilor, and Governor, New Hampshire loses the services of a worthy public servant and patriotic citizen, who in the discharge of his public duties was influenced by no personal consideration, who gave to the state the best of himself, both as a public official and as a private citizen; and whose record of public service is one of which the people of the state are proud,—be it therefore

*Resolved*, That this House expresses its appreciation of the public services of Governor Floyd, its sorrow for his loss to the State, and its sympathy for his afflicted family.

*Resolved*, That the clerk of the House be directed to send a copy of these resolutions to the family of Governor Floyd.

On motion of Mr. Sibley of Manchester, it was voted that the Chair appoint a committee of five to attend the funeral of the late Representative Deal of Piermont and to prepare resolutions upon his death.

On motion of Mr. Kenney of Manchester it was voted that the adjournment of the morning session today be out of respect to the late Ex.-Gov. Floyd and the late Representative Deal of Piermont.

#### LEAVES OF ABSENCE.

Messrs. McIntire of Lancaster, Pelletier of Nashua, Butler of Hillsborough, Eaton of Nashua, Christie of New Boston, Sawyer of Woodstock, Wright of Sanbornton, Waterman of Lebanon were granted leave of absence for the week on account of illness.

Messrs. Getz of Manchester, Girard of Somersworth were granted leave of absence for the week on account of business.

Messrs. Rigney of Nashua, Barry of Nashua, Childs of Hillsborough, MacMurphy of Derry were granted leave of absence for the day on account of business.

#### COMMITTEE REPORTS.

Mr. Converse of Lyme, for the Committee on Engrossed Bills, reported that the committee had examined and found correctly engrossed the following entitled bill:

House Bill No. 150 (In New Draft), An act in amendment of Section 13, Chapter 123, Laws of 1917, as amended by Section 1, Chapter 115, Laws of 1921, relating to the Governor's Staff. The report was accepted.

Mr. Barry of Manchester, for the Committee on Judiciary, to whom was referred House Bill No. 124, An act in relation to criminal identification, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Jewett of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 136, An act to grant a vacation to employees of the Manchester Traction Light & Power Co., reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Gagne of Somersworth for the Committee on Judiciary, to whom was referred House Bill No. 137, An act to secure a minimum of eight hours of sleep for everyone, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Jewett of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 198, An act to amend Chapter 30, Laws of 1915, as amended by Laws of 1919, Chapter 105, and Laws of 1921, Chapter 106, entitled, "An act Establishing Municipal Courts," reported the same with the following resolution:

*Resolved*, That the bill should be referred to a Special Committee consisting of the Delegation from Laconia.

The report was accepted and the resolution of the committee adopted.

Mr. Nyberg of Manchester, for the Committee on Judiciary, to whom was referred House Bill No. 185, An act to prohibit parades and meetings of the Ku Klux Klan except by special permission, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Harris of Orford, for the Committee on Education, to whom was referred House Bill No. 83, An act for improving instruction in rural schools, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Currier of Manchester, for the Committee on Fish and Game, to whom was referred House Bill No. 101, An act in amendment of Section 55, Chapter 133, Laws of 1915 as amended by Section 20, Chapter 184, Laws of 1917, and Chapter 146, Laws of 1919 and Chapter 93, Laws of 1921, to regulate the issuing of hunting licenses, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Currier of Manchester, for the Committee on Fish and Game, to whom was referred House Bill No. 116, An act in amendment of paragraph (b) of Section 17, Fish and Game Laws relating to taking of Raccoon and Fox, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hardy of Hollis, for the Committee on Agriculture, to whom was referred House Bill No. 97, An act to amend Chapter 227, Laws of 1917, regulating the grading, packing, shipping and sale of apples, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 3, by striking out said section and inserting in place thereof the following:

SECT. 3. The Commissioner of Agriculture shall make rules and regulations not inconsistent with this act, for carrying out the provisions of the same, and he shall publish on or before the first day of August following the passage of this act, and after a public hearing, rules for the grading and packing of apples and specifying for each variety of apples the amount of color which shall be considered medium or above medium, and the minimum size which shall be included in the grade designated as fancy, and he may thereafter modify such rules and regulations.



Further amend said bill by adding the following new section to be numbered Section 4:

SECT. 4. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

On motion of Mr. Fernald of Dover, the rules were suspended and the bill placed upon its passage at this time. The bill was read a third time, passed and ordered to the Senate for concurrence.

Pursuant to a previous vote, the Speaker announced the following committee to prepare resolutions on the death of the late member from Piermont, Mr. Deal, and to attend his funeral:

Sibley of Manchester, Converse of Lyme, Page of Haverhill, Cotton of Warren, Kidder of Rumney.

On motion of Mr. Lyford of Concord, business in order for three o'clock, was made in order at this time.

#### THIRD READINGS.

The following bills were severally read a third time, passed, and ordered to the Senate for concurrence:

House Bill No. 11, An act to legalize the biennial election held on the seventh of November, 1922, in the town of Brookline.

House Bill No. 13, An act to legalize the votes and proceedings of the town of Hopkinton at the biennial election held November 7, 1922.

House Bill No. 55, An act to legalize the biennial election held on the seventh day of November 1922, in the town of Amherst.

House Bill No. 63, An act to legalize the biennial election held on the seventh day of November 1922, in the town of Marlow.

House Bill No. 77, An act to legalize the biennial election held on the seventh day of November 1922, in the town of Warren.

House Bill No. 92, An act legalizing the biennial election held in the town of Chesterfield November 7, 1922.

On motion of Mr. Aiken of Franklin, at 1.25 the House, out of respect to the memory of Ex-Governor Floyd and Representative Deal of Piermont, adjourned.

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### WEDNESDAY, FEBRUARY 7, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

On motion of Mr. Lee of Concord, it was voted to recall from the Senate House Bill No. 91, An act in relation to holidays.

#### PETITIONS AND RESOLUTIONS.

The following petitions and resolutions were presented, read and referred as follows:

By Mr. Wheeler of Nashua, Resolution of the South Main Street Congregational Church of Manchester, against change in Sunday laws.

By Mr. White of Deerfield, Resolution of the Church of Deerfield, against change in Sunday laws.

By Mr. Reed of Keene, Petition of citizens of Keene, against change in Sunday laws.

#### COMMITTEE ORGANIZATIONS.

The Committee on Soldiers' Home announced its organization with Felix E. O'Neil, Jr., of Dover as chairman and George L. Sibley of Manchester as clerk.

The Committee on County Affairs by Mr. Hogan of Jaffrey, announced its organization with the election of Mr. John Bellerose, of Pembroke as clerk.

#### LEAVES OF ABSENCE.

Messrs. Bridgman of Hanover, Balch of Bennington, and Ross of Lebanon were granted leave of absence for the week on account of illness.

Messrs. Walker of Hopkinton, Holt of Laconia, and Gilchrist of Henniker were granted leave of absence for the day on account of illness.

Mr. Ploss of Manchester was granted leave of absence for the day on account of business.

#### COMMITTEE REPORTS.

Mr. Smith of Peterborough for the Committee on Judiciary, to whom was referred House Bill No. 54, An act authorizing the Union Congregational Church of Peterborough to hold and manage gifts, grants and legacies, reported the same in new draft and new title with the recommendation that the bill in its new draft and new title ought to pass.

The bill was read a first and second time, tabled to be printed, and taken up in its regular order.

Mr. Cronin of Portsmouth for the Committee on Judiciary, to whom was referred House Bill No. 119, An act authorizing the City of Nashua to provide pensions for firemen, reported the same with the following resolution:

*Resolved*, That the bill be referred to a Special Committee consisting of the delegation from Nashua.

The report was accepted and the resolution of the committee adopted.

Mr. Jewett of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 127, An act amending Section 9, Chapter 269, relating to cruelty to animals, reported the same with the following resolution:

*Resolved*, It is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Gagne of Somersworth, for the Committee on Judiciary, to whom was referred House Bill No. 12, An act relating to the issue of bonds by the School District of the town of Hampton, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 1, by striking out the word "thirty" in

line 3, and inserting in place thereof the word "ten", so that said section as amended will read as follows:

SECTION 1. The School District of the town of Hampton, is hereby authorized at any meeting called for that purpose to borrow upon the credit of said School District, a sum not exceeding ten thousand dollars, in addition to the amount now allowed by general or special statutes, for the erection of school buildings, and to issue bonds or notes therefor at the lowest rate of interest obtainable.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Hutchins of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 16, An act authorizing the Rockingham County Light & Power Company, to issue preferred stock and for other purposes, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section I by inserting after the word "purpose" in the 10th line thereof the following: "and having first obtained the approval of the Public Service Commission therefor" so that said section as amended will read as follows:

"SECTION 1. The Rockingham County Light & Power Company, a corporation organized under Chapter 147, of the Public Statutes and amendments thereto and having its principal place of business in Portsmouth in the County of Rockingham, is hereby authorized and empowered, from time to time, by vote or resolution of the holders of a majority of the shares of its capital stock outstanding and entitled to vote, present or represented by proxy and voting at a meeting of the stockholders duly called for the purpose, and having first obtained the approval of the Public Service Commission therefor, to create two or more kinds or classes of stock, of which one or more may be entitled or subject to such preferences, voting powers, restrictions and qualifications as may be specified and expressed in such vote or resolution; and said company is further authorized and empowered, from time to time, with the consent of the holders

of the class or classes of stock affected, to change by like vote the preferences, voting powers, restrictions and qualifications of any class or classes of stock now outstanding or hereafter issued."

Amend Section 3 by adding thereto after the words "so-called" in the 4th line thereof the following: "heretofore authorized by the Public Service Commission" so that said section as amended will read as follows:

SECT. 3. "The issue of the present outstanding stock of said Rockingham County Light & Power Company, consisting of five hundred thousand dollars at par of preferred stock, so-called heretofore authorized by the Public Service Commission, and one million dollars at par of common stock, is hereby confirmed and approved; and the stockholders, officers and directors of said company shall not be liable for any debts or contracts of said company after recording in the office of the City Clerk of Portsmouth a certificate signed and sworn to by the Treasurer and a majority of the directors of said company setting forth in substance that the net value of the property, rights and franchises of said company in excess of its indebtedness at least equals the par value of its outstanding stock.

Further amend said act by striking out the whole of Section 4, and substituting in place thereof the following:

SECT. 4. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect on its passage, except that nothing in this act shall be construed to change the existing law relating to the regulation, control or jurisdiction of the Public Service Commission over said corporation as a public utility.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

On motion of Mr. Lyford of Concord, the printing of the amendment was dispensed with.

Mr. Davison of Haverhill for the Committee on Judiciary, reported the following entitled Bill, House Bill No. 60, An act to legalize the biennial election held on the seventh day

of November, 1922, in the town of Langdon, with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Smith of Peterborough for the Committee on Judiciary, reported the following entitled bill, House Bill No. 291, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Effingham, with the recommendation that the bill ought to pass.

The bill was read a first and second time and laid on the table to be printed. On motion of Mr. Fernald of Dover, the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed and ordered to the Senate for concurrence.

Mr. Wright of Sanbornton for the Committee on Judiciary, reported the following entitled bill, House Bill 292, An act to amend the charter of the Gordon-Nash Library in New Hampton, with the recommendation that the bill ought to pass.

After the first reading was begun on motion of Mr. Fernald of Dover it was voted that the further reading be dispensed with. The bill was read a second time by title, laid on the table to be printed, and taken up in its regular order.

House Bill No. 287, An act to amend the charter of Keene Academy, was ordered from the table and ordered to a third reading. On motion of Mr. Fernald of Dover it was voted that the rules be suspended at the bill placed now upon its passage. The bill was then read a third time, passed, and ordered to the Senate for concurrence.

#### BILLS TAKEN FROM THE TABLE.

The following house bills were ordered from the table and to a third reading:

House Bill No. 289, An act in amendment of Chapter 93, Laws of 1921, in relation to the issuance of hunting licenses.

House Bill No. 288, An act in amendment of Chapter 133, Laws of 1915, as amended by Laws of 1917, 1919 and 1921, in relation to migratory birds.

House Bill No. 36, An act in amendment of Section 40 of the Business Corporation Law. The amendment offered by the Committee on Judiciary was adopted.

House Bill No. 37 (New Draft), An act in amendment of Section 1 of the Business Corporation Law.

On motion of Mr. Smith of Peterborough, it was voted that the vote ordering House Bill No. 54 to be printed, be reconsidered and the bill ordered to a third reading.

On motion of Mr. Cheney of Concord, it was voted that business in order for three o'clock be made in order at this time.

#### THIRD READINGS.

House Bill No. 101, An act in amendment of Section 55, Chapter 133, Laws of 1915 as amended by Section 20, Chapter 184, Laws of 1917 and Chapter 146, Laws of 1919 and Chapter 93, Laws of 1921, to regulate the issuing of hunting licenses.

Read a third time. On motion of Mr. Duncan of Jaffrey, it was voted that the bill be put back on its second reading for amendment.

Mr. Duncan of Jaffrey, offered the following amendment which was accepted, and the bill ordered to a third reading at this time. Amend House Bill No. 101, by striking out the words "upon its passage" and substituting the words "January 1, 1924" so that said section as amended shall read: "Sect. 2. This act shall take effect January 1, 1924." Read a third time, passed as amended and ordered to the Senate for concurrence.

The House was addressed by the Hon. Stephen S. Jewett of Laconia, formerly Speaker of the House.

On motion of Mr. Roukey of Manchester, at 12.25 the House adjourned until 11 o'clock tomorrow.

THURSDAY, FEBRUARY 8, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

COMMITTEE APPOINTMENT.

The Speaker appointed Mr. Preston of Strafford to the Committee on Agricultural College, to fill the vacancy created by the death of Representative Deal of Piermont.

LEAVES OF ABSENCE.

Messrs. Boilard of Nashua, and Grimes of Boscawen were granted leave of absence for the day on account of illness.

Messrs. Eastman of Lebanon, Davis of Stoddard, and Webster of Canaan were granted leave of absence for the day on account of business.

RESOLUTION.

Mr. Wheeler of Nashua, for the Committee presented the following resolution:

WHEREAS, the decease of Senator James H. Hunt deprives the Legislature of New Hampshire of one of its most valued members. It is

*Therefore, Resolved*, That the House of Representatives would express and enter upon its records its deep sorrow over the death of Senator Hunt. His long record of devoted citizenship and faithful public service together with the excellency of his character won him the affectionate regard of his associates and made him to be highly honored throughout the State.

*Resolved*, That a copy hereof be forwarded to Mrs. Hunt. In behalf of the committee,

ELBERT WHEELER.

*Chairman.*

The resolution was adopted.

MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate had passed the following bills, in



the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 5, An act relating to the fees of Sheriffs and Deputy Sheriffs.

Senate Bill No. 10, An act in amendment of Chapter 56 of the Public Statutes as amended by Chapter 12 of the Laws of 1921, relating to the exemption from taxation of Veterans of the War of the Rebellion, the Spanish-American War, the Philippine Insurrection, the World War, and their wives and widows.

Senate Bill No. 11, An act to prevent the desecration of Memorial Day.

The message also announced that the Senate has voted to concur with the House of Representatives in the passage of the following Joint Resolution, sent up from the House of Representatives:

House Joint Resolution No. 28, Joint resolution recommending reconvening the Constitutional Convention and appropriating money therefor.

#### COMMITTEE REPORTS.

Mr. King of Concord for the Committee on Revision of Statutes, to whom was referred House Bill No. 74, An act relating to the collection of debts for food, fuel, clothing and other necessities of life, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Garneau of Franklin for the Committee on Revision of Statutes, to whom was referred House Bill No. 100, An act in amendment of Chapter 147 of the Laws of 1915, relating to temporary absences of patients from the State Hospital, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Healey of Manchester for the Committee on Revision

of Statutes, to whom was referred House Bill No. 126, An act regulating the width of loads on motor vehicles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hunt of Carroll for the Committee on Feeble-Minded School, to whom was referred House Joint Resolution No. 26, Joint resolution for improvements at the School for Feeble-Minded Children, reported the same with the following resolution:

*Resolved*, That the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Griffin of Berlin, for the Committee on Roads, Bridges and Canals, to whom was referred House Bill No. 65, An act to establish a continuous trunk line highway from the Vermont state line at North Walpole to the West Side road in Lebanon, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Hutchins of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 22, An act in amendment of Chapter 188, Section 5 of the Laws of 1905, relating to the establishment of water-works and sewers in the Town of Gorham, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

On motion of Mr. Mortenson of Gorham, it was voted to recommit the bill to the Committee on Judiciary.

Mr. Jewett of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 38, An act to authorize licensing public utilities to exercise rights on public lands, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Jewett of Laconia for the Committee on Judiciary,

to whom was referred House Bill No. 39, An act relating to the issue of bonds by the Union School District No. 2 of the town of Bristol, reported the same with the recommendation that the bill ought to pass, with the following amendment:

Amend Section 1 of the bill by adding at the end thereof the words "or for the building and furnishing of a new school building", so that said section as amended shall read:

"SECTION 1. Union School District of the town of Bristol is hereby authorized to borrow upon the credit of said School District a sum not exceeding Forty-two Thousand Dollars (\$42,000) in addition to the amount now allowed by the general or special statutes, for the alteration, repairing, rebuilding and furnishing of its school building, or for the building and furnishing of a new school building."

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Smith of Peterborough for the Committee on Judiciary, to whom was referred House Bill No. 44, An act to authorize the discontinuance of State Highways, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Gagne of Somersworth for the Committee on Judiciary, to whom was referred House Bill No. 51, An act in amendment of Section 9 of Chapter 153, Laws of 1909, as amended by Chapter 179, Laws of 1913, providing for the placing of the names of all party candidates at primaries upon the same ballot, reported the same with the following resolution:

*Resolved*, It is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Nyberg of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 62, An act to amend the charter of the Nashua Protestant Home for Aged Women, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Jewett of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 67, An act in amendment of sub-division XIII, Section 10, Chapter 50 of the Public Statutes, relating to Powers of City Councils, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Cronin of Portsmouth for the Committee on Judiciary, to whom was referred House Bill No. 69, An act to enable the town of Newport, New Hampshire, to refund its indebtedness, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Davison of Haverhill for the Committee on Judiciary, to whom was referred House Bill No. 81, An act authorizing the town of Rumney to raise money by taxation for the care of cemeteries, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Jewett of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 84, An act authorizing the town of Claremont to renew and extend its water bonds, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Davison of Haverhill, for the Committee on Judiciary, to whom was referred House Bill No. 98, An act to legalize acts of the town of Littleton locating and constructing a bridge across the Ammonoosuc River, condemning land to protect its water supply, and borrowing money to pay for the same, and authorizing said town to issue notes or bonds to fund and re-fund said indebtedness, and an

outstanding or floating indebtedness, reported the same in new draft and new title with the recommendation that the bill in its new draft and new title ought to pass.

After the first reading had begun, on motion of Mr. Fernald of Dover, the further reading was dispensed with. The bill was read a second time. On motion of Mr. Fernald it was voted that the printing be dispensed with and the bill be now put upon its passage. The bill was then read a third time, by title, on motion of Mr. Fernald, passed and ordered to the Senate for concurrence.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 110, An act in amendment of Chapter 148 of the Laws of 1915, entitled: An act relating to actions for personal injuries, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Martin of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 111, An act relating to the salary of the Deputy Register of Probate for the county of Merrimack, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Gagne of Somersworth for the Committee on Judiciary, to whom was referred House Bill No. 161, An act to amend Section 1, of Chapter 159, Laws of 1921, relating to the purchase of legislative supplies, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, the subject being covered in another bill.

The report was accepted and the resolution of the committee adopted.

Mr. Gagne of Somersworth for the Committee on Judiciary, to whom was referred House Bill No. 175, An act relating to the purchase of legislative supplies, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 196, An act concerning the domicile of a married woman, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hardy of Hollis for the Committee on Agriculture, to whom was referred House Bill No. 57, An act for the better protection of sheep, reported the same in new draft and new title with the recommendation that the bill in its new draft and new title ought to pass.

On motion of Mr. Fernald the bill was read a first and second time by its title under a suspension of the rules, laid on the table to be printed, and taken up in its regular order.

Mr. Hardy of Hollis for the Committee on Agriculture, to whom was referred House Bill No. 66, An act relating to trespasses upon improved land, reported the same in new draft with the recommendation that the bill in its new draft ought to pass.

The first reading having commenced, on motion of Mr. Fernald of Dover the further reading was dispensed with, the bill read a second time, laid on the table to be printed, and taken up in its regular order.

Mr. Hardy of Hollis for the Committee on Agriculture, to whom was referred House Bill No. 96, An act relating to the Inspection of Apiaries, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 3 by striking out the word "annually" in line 1 and inserting in place thereof the word "bi-annually" so that said section, as amended, shall read as follows:

SECT. 3. The inspector shall render bi-annually to the commissioner detailed report of all his labors and efforts under the provisions of this act, and his report shall be

published in the annual report of the Commissioner of Agriculture.

Amend Section 8 by striking out the figures "500" in line 1 and inserting in place thereof the figures "1000", so that said section, as amended, shall read as follows:

SECT. 8. The sum of \$1000 per year shall be appropriated to enforce the provisions of this act.

The report was accepted, the amendment adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Hardy of Hollis for the Committee on Agriculture, to whom was referred House Bill No. 90, An act in amendment of Section 1, Chapter 93, Laws of 1911, relating to bounties on hedgehogs, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

#### SENATE BILLS INTRODUCED.

The following Senate bills were severally introduced, read a first and second time and referred as follows:

Senate Bill No. 5, An act relating to the fees of Sheriffs and Deputy Sheriffs.

Tabled to be printed and referred to the Committee on Revision of Statutes.

Senate Bill No. 10, An act in amendment of Chapter 56 of the Public Statutes as amended by Chapter 12 of the Laws of 1921, relating to the exemption from taxation of Veterans of the War of the Rebellion, the Spanish-American War, the Philippine Insurrection, the World War, and their wives and widows.

To the Committee on Ways and Means.

Senate Bill No. 11, An act to prevent the desecration of Memorial Day.

To the Committee on Revision of Statutes.

On motion of Mr. Cheney of Concord, it was voted that business in order for three o'clock be made in order at this time.

## THIRD READINGS.

The following bills were severally read a third time, passed and ordered to the Senate for concurrence:

House Bill No. 54 (New Draft and Title), An act in amendment of Section 10, Chapter 152 of the Public Statutes, relating to Religious Societies.

House Bill No. 16, An act authorizing the Rockingham County Light & Power Company to issue preferred stock and for other purposes.

House Bill No. 60, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Langdon.

House Bill No. 12, An act relating to the issue of bonds by the school district of the town of Hampton.

House Bill No. 36, An act in amendment of Section 40, of the Business Corporation Law.

House Bill No. 37 (New Draft), An act in amendment of Section 1 of the Business Corporation Law.

House Bill No. 288, An act in amendment of Chapter 133, Laws of 1915, as amended by Laws of 1917, 1919, and 1921, in relation to migratory birds.

House Bill No. 289, An act in amendment of Chapter 93, Laws of 1921, in relation to the issuance of hunting licenses.

Mr. Fernald of Dover, presented the following resolution with the motion that the resolution be laid upon the table, and made a Special Order for Tuesday at 11.01. The motion was carried.

*Resolved*, That the House of Representatives hereby respectfully request the opinion of the judges of the Supreme Court upon the following question: Can the Constitutional Convention of 1918 be reconvened for the purpose of submitting propositions for amending the Constitution?

On motion of Mr. Ordway of Milford, it was voted that the House adjourn to-day until Friday at 9.30, and that when the House adjourns at that date, it adjourn until Monday at 7.30.

On motion of Mr. Sibley of Manchester, at 12.47 the House adjourned.



FRIDAY, FEBRUARY 9, 1923.

The House met at 9.30.

On motion of Mr. Lyford of Concord at 9.31 the House adjourned.

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MONDAY, FEBRUARY 12, 1923.

The House met at 7.30. The following letter was read:

FEBRUARY 12, 1923.

NATHANIEL E. MARTIN,  
CONCORD, N. H.

*Dear Mr. Martin:*

I shall be unable to attend the evening session. Will you kindly preside and oblige,

Very truly yours,

WILLIAM J. AHERN.

On motion of Mr. Gannon of Concord at 7.31 the House adjourned.

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TUESDAY, FEBRUARY 13, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

## MESSAGE FROM THE SENATE.

The following message was received from the Honorable Senate by its clerk:

The Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution, sent up from the House of Representatives:

House Bill No. 15, An act in amendment of Chapter 186 of the Public Statutes relating to wills.

House Bill No. 285, An act to change the corporate name of the Exeter Cottage Hospital.

House Joint Resolution No. 10, Joint resolution in favor of William H. Knox and others.

The message further announced that:

The Senate has passed the following bill, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 17, An act referring to the salary of the state agent for the blind.

PETITIONS AND RESOLUTIONS PRESENTED.

The following petitions were severally introduced against change in Sunday laws, and referred to the Committee on Revision of Statutes.

By Mr. Kendall of Concord, Petition of the First Baptist Church of Manchester against change in Sunday Laws.

By Mr. Kendall of Concord, Petition of Bethel Advent Christian Congregation of Manchester against change in Sunday laws.

By Mr. Kendall of Concord, Petition of Presbyterian Church of Manchester against change in Sunday laws.

By Mr. Kendall of Concord, Petition of the Merrimac Street Baptist Church of Manchester, against change in Sunday laws.

By Mr. Kendall of Concord, Petition of Theresa Harris of Brookline against change in Sunday laws.

By Mr. Kendall of Concord, Petition of Sunday School Superintendants Association of Manchester, N. H. against change in Sunday laws.

By Mr. Kendall of Concord, Resolution of the C. E. Societies of Manchester, Londonderry and Bedford, against change in Sunday laws.

By Mr. Gotts of Rochester, Petition of Citizens of East Rochester against change in Sunday laws.

By Mr. Snow of Whitefield, Petition of Citizens of Whitefield against change in Sunday laws.

By Mr. Littlefield of Newton, Petition of Citizens of Franklin, N. H. against change in Sunday laws.

By Mr. Dover of North Hampton, Petition of Citizens of North Hampton against change in Sunday laws.

By Mr. Firmin of Fitzwilliam, Petition of Citizens of Fitzwilliam against change in Sunday laws.

By Mr. Ordway of Milford, Petition of Methodist Society of Milford, against the change in Sunday laws.

By Mr. Reed of Keene, Petition of Citizens of Keene against the change in Sunday laws.

By Mr. Newton of Concord, Petition of Citizens of Concord against the change in Sunday laws.

By Mr. Franklyn of Cornish, Petition of citizens of Franklin against the change in Sunday laws.

By Mr. Franklyn of Cornish, Petition of citizens of Newmarket against the change in Sunday laws.

By Mr. Franklyn of Cornish, Petition of citizens of Portsmouth against the change in Sunday laws.

By Mr. Franklyn of Cornish, Petition of citizens of Epping against the change in Sunday laws.

By Mr. Franklyn of Cornish, Petition of citizens of Whitefield against the change in Sunday laws.

By Mr. Franklyn of Cornish, Petition of citizens of Antrim against the change in Sunday laws.

By Mr. Franklyn of Cornish, Petition of citizens of Alton against the change in Sunday laws.

By Mr. Franklyn of Cornish, Petition of citizens of Newport against the change in Sunday laws.

By Mr. Franklyn of Cornish, Petition of citizens of Pembroke against change in Sunday laws.

By Mr. Wheelwright of Webster, Petition of citizens of Portsmouth against change in Sunday laws.

By Mr. Wheelwright of Webster, Petition of citizens of Whitefield against change in Sunday laws.

By Mr. Barrett of Keene, Petition of citizens of Keene against change in Sunday laws.

By Mr. Kendall of Concord, Petition of citizens of Manchester against change in Sunday laws.

By Mr. Kendall of Concord, Petition of citizens of Concord against change in Sunday laws.

By Mr. Sanborn of Tilton, Petition of citizens of Tilton against change in Sunday laws.

By Mr. Spaulding of Hudson, Petition of citizens of Hudson against change in Sunday laws.

By Mr. Page of Haverhill, Petition of citizens of Haverhill against change in Sunday laws.

#### LEAVES OF ABSENCE.

Messrs. Sawtelle of Rindge, Moquin of Manchester, Trombly of Nashua and Lovejoy of Milford were granted leave of absence for the day on account of illness.

Mr. Webb of Dover, was granted leave of absence for the week on account of illness.

Mrs. Caldwell of Portsmouth, was granted leave of absence for the week on account of business.

#### COMMITTEE REPORTS.

Mr. Lee of Concord, for the Committee on Public Improvements, to whom was referred House Bill No. 199, An act providing for the designation and construction of a state highway from the Daniel Webster Highway in Laconia to the Suncook Valley Trunk Line in Pittsfield, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Lee of Concord, for the Committee on Public Improvements, to whom was referred House Bill No. 80, An act to establish a continuous highway from the junction of the Hudson-Derry Road in the town of Hudson, to the Massachusetts line at Tyngsboro, reported the same with the following Resolution:

*Resolved*, That the same be referred to the next Legislature.

On motion of Mr. Lee of Concord, the bill was recommitted to the Committee on Public Improvements for further consideration.

Mr. Lee of Concord, for the Committee on Public Improvements, to whom was referred House Bill No. 104, An act relating to the display of advertising signs upon Trunk

line and State Roads, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lee of Concord, for the Committee on Public Improvements, to whom was referred House Bill No. 164, An act relating to changing the name of "Island Pond" to "Lake Escamboit," reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, to whom was referred House Bill No. 91, An act to repeal Chapter 7, of the Session Laws, of 1907, entitled "An act to amend Chapter 11, of the Session Laws of 1899, concerning holidays," reported the same in new draft and new title with the recommendation that the bill in its new draft and new title ought to pass.

Read a first and second time, and laid upon the table to be printed.

Mrs. Yantis of Manchester for the Committee on Public Health, to whom was referred House Bill No. 21, An act regarding the removal of bodies from one town to another, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Yantis of Manchester for the Committee on Public Health, to whom was referred House Bill No. 88, An act regarding the care of buildings, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

On motion of Mr. Mortenson of Gorham, the bill was recommitted to the Committee on Public Health for further consideration.

Mr. Converse of Lyme, for the committee, reported that

the Committee on Engrossed Bills had examined and found correctly engrossed the following entitled joint resolution:

House Joint Resolution No. 28, Joint resolution recommending reconvening the Constitutional Convention and appropriating money therefor.

SPECIAL ORDER.

Mr. Fernald of Dover called for the Special Order, it being the Resolution presented by himself, requesting the opinion of the Supreme Court concerning the recall of the 1918 Constitutional Convention.

The following gentlemen spoke with reference to the resolution:

For the resolution: Fernald of Dover.

Against the resolution: Cheney of Concord, Lyford of Concord and Stevens of Landaff.

Mr. Wright of Sanbornton moved the previous question. The question being: Shall the main question now be put? the vote was in the affirmative.

The question being: Shall the resolution be adopted?, Mr. Fernald of Dover called for the yeas and nays.

Mr. Fernald then withdrew the motion and called for a division. The division was manifestly against the adoption of the resolution.

Mr. Stevens of Landaff for the Committee on Labor presented the following resolution:

*Resolved*, That the clerk of the House be instructed to have printed two thousand copies of the findings of the Committee on Labor on the forty-eight hour bill.

The resolution was adopted.

SENATE BILL READ AND REFERRED.

Senate Bill No. 17, An act referring to the salary of the State Agent for the blind.

Read a first and second time and referred to the Committee on Appropriations under the rules.

On motion of Mr. Roukey of Manchester at 1.05 the House adjourned from the morning session.

## AFTERNOON.

## THIRD READINGS.

The House met at 3 o'clock.

The following house bills were severally read a third time, passed, and ordered to the Senate for concurrence:

House Bill No. 38, An act to authorize licensing public utilities to exercise rights on public lands.

House Bill No. 44, An act to authorize the discontinuance of state highways.

House Bill No. 62, An act to amend the charter of the Nashua Protestant Home for aged women.

House Bill No. 67, An act in amendment of Sub-division XIII, Section 10, Chapter 50, of the Public Statutes, relating to powers of City Councils.

House Bill No. 69, An act to enable the town of Newport, New Hampshire, to refund its indebtedness.

House Bill No. 81, An act authorizing the town of Rumney to raise money by taxation for the care of cemeteries.

House Bill No. 84, An act authorizing the town of Claremont to renew and extend its water bonds

House Bill No. 110, An act in amendment of Chapter 148, of the Laws of 1915, entitled: An act relating to actions for personal injuries.

House Bill No. 175, An act relating to the purchase of legislative supplies.

House Bill No. 39, An act relating to the issue of bonds by the Union School District No. 2, of the town of Bristol.

On motion of Mr. Martin of Concord at 3.31 the House adjourned.

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WEDNESDAY, FEBRUARY 14, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

## MESSAGE FROM SENATE.

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the

House of Representatives in the passage of the following entitled bills and joint resolution, sent up from the House of Representatives:

House Bill No. 11, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Brookline.

House Bill No. 13, An act to legalize the votes and proceedings of the town of Hopkinton at the biennial election held November 7, 1922.

House Bill No. 55, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Amherst.

House Bill No. 59, An act to amend an act to establish a corporation by the name of the Trustees of the New Hampshire Conference Seminary and the New Hampshire Female College, approved December 29, 1852, and other acts amending the same.

House Bill No. 63, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Marlow.

House Bill No. 77, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Warren.

House Bill No. 92, An act legalizing the biennial election held in the town of Chesterfield November seventh, 1922.

House Joint Resolution No. 43, Joint resolution relating to the Valuation of Railroads.

#### PETITIONS.

The following petitions were severally introduced against change in Sunday laws, and referred to the Committee on Revision of Statutes:

By Mr. White of Deerfield, Petition of the citizens of Deerfield against change in Sunday laws.

By Mr. MacMurphy of Derry, Petition of the citizens of Derry against change in Sunday laws.

By Mr. Walker of Hopkinton, Petition of the citizens of Hopkinton against the change in Sunday laws.



By Mr. Childs of Hillsborough, Petition of the South Merrimack Church of Hillsborough against change in Sunday laws.

By Mr. Smith of Belmont, Petition of citizens of Belmont against change in Sunday laws.

By Mr. Flint of Antrim, Petition of citizens of Antrim against change in Sunday laws.

By Mr. Kendall of Concord, Petition of citizens of Troy against change in Sunday laws.

By Mr. Grimes of Boscawen, Petition of citizens of Penacook against change in Sunday laws.

By Mr. Empey of Keene, Petition of citizens of Manchester against change in Sunday laws.

By Mr. Wheeler of Atkinson, Petition of citizens of Atkinson against change in Sunday laws.

By Mr. Callahan of Keene, Petition of citizens of Keene against change in Sunday laws.

By Mr. Franklyn of Cornish, Petition of citizens of Cornish against change in Sunday laws.

By Mr. Ford of Amherst, Petition of citizens of Amherst against the change in Sunday laws.

By Mr. Kidder of Rumney, Petition of citizens of Wentworth against change in Sunday laws.

By Mr. Kidder of Rumney, Petition of Rumney Baptist Church and citizens of Rumney, against change in Sunday laws.

By Mr. Hutchins of Stratford, Petition of citizens of Stratford against change in Sunday laws.

By Mr. Clow of Wolfeboro, Petition of citizens of Wolfeboro against change in Sunday laws.

By Mr. Badger of Laconia, Petition of Advent Christian Church against change in Sunday laws.

By Mr. Waterman of Lebanon, Petition of citizens of W. Lebanon against change in Sunday laws.

By Mr. Empey of Keene, Petition of citizens of Haverhill against the change in Sunday laws.

By Mr. Ross of Lebanon, Petition of citizens of Lebanon against the change in Sunday laws.

By Mr. Hoyt of Sandwich, Petition of citizens of Franklin against the change in Sunday laws.

By Mr. Hoyt of Sandwich, Petition of citizens of Sandwich against the change in Sunday laws.

By Mr. Frazer of Monroe, Petition of citizens of N. Haverhill against the change in Sunday laws.

By Mr. Price of Lisbon, Petition of citizens of Lisbon against the change in Sunday laws.

The following petition was introduced and referred to the Committee on Fish and Game:

By Mr. Callahan of Keene, Petition of hunters of Winchester in favor of change in deer law of Cheshire County.

#### LEAVES OF ABSENCE.

Mr. Waterman of Lebanon was granted leave of absence for the week on account of illness.

Messrs. Lovejoy of Milford, Newton of Franklin, Trombly of Nashua and Bartlett of Manchester were granted leave of absence for the day on account of illness.

Mr. Reed of Keene was granted leave of absence for the day on account of business.

#### REGULAR ORDER.

The following bill was taken from the table:

House Bill No. 57 (New Draft and New Title), An act in amendment of Section 1, Chapter 143, Laws of 1913, as amended by Section 1, Chapter 14, Laws of 1915, relating to the control of self-hunting dogs.

Mr. Hardy of Hollis presented the following amendment:

Amend by striking out Section 2; further amend by re-numbering Section 3 and Section 4 so that they will read Section 2 and Section 3.

The amendment was adopted and the bill ordered to a third reading.

The following bills were taken up and no amendment being offered, ordered to a third reading:

House Bill No. 66 (New Draft), An act relating to trespasses upon improved land.

House Bill No. 292, An act to amend the charter of the Gordon-Nash Library in New Hampton.

COMMITTEE REPORTS.

Mr. Cronin of Portsmouth for the Committee on Judiciary, to whom was referred House Bill No. 236, An act to create a State Pier Commission, reported the same with the following amendment with the recommendation that the bill as amended, ought to pass.

Amend Section 2 by adding at the end thereof the words: "and shall incur no expense for the State to pay," so that said Section 2 as amended, shall read as follows:

SECT. 2. Said commission shall serve without pay and shall investigate thoroughly in the premises and report their findings to the next Legislature, and shall incur no expense for the State to pay.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Jewett of Laconia for the Committee on Judiciary, having considered the subject reported the following entitled bill, House Bill No. 293, An act relating to the issue of bonds by the town of Hooksett, with the recommendation that the bill ought to pass.

Read a first and second time, tabled to be printed and taken up in the regular order.

Mr. Eaton of Nashua for the Committee on Judiciary, to whom was referred House Bill No. 286, An act to exempt from taxation property in Sutton held for public use by the North Sutton Improvement Society, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Jacobs of Lancaster, for the Committee on Judiciary, to whom was referred House Bill No. 227, An act authorizing the Lancaster Fire Precinct to pay certain moneys to Union School District No. 1, in the town of Lancaster, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Jewett of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 181, An act in amendment of Section 7, Chapter 27, of the Public Statutes, relating to County Commissioners, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Nyberg of Manchester, for the Committee on Judiciary, to whom was referred House Bill No. 64, An act in amendment of Paragraph 1, Section 2, Chapter 228, Laws of 1917, entitled "An act to license and regulate the business of making loans in sums of three hundred dollars or less, at a greater rate of interest than six per cent per annum, prescribing the rate of interest, the charge therefor, and penalties for the violation thereof," reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Yantis of Manchester, for the Committee on Public Health, to whom was referred House Joint Resolution No. 19, Joint resolution providing for a laboratory in the city of Manchester, having considered the same, reported the same with the recommendation that it be referred to the Committee on Appropriations.

The report was accepted and the Joint resolution referred to the Committee on Appropriations.

Mr. Winant of Concord, for the Committee on Labor, to whom was referred House Bill No. 1, An act in amendment of Section 1, of Chapter 156 of Laws of 1913, as amended by Section 1, of Chapter 196 of the Law of 1917, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 2, of House Bill No. 1, by inserting a comma after the word "female" in line 1, a comma after the

word "age" in line 1, and a comma after the word "female" in line 4, and further amend said Section 2 by striking out the figure "2" in line 1, and inserting in place thereof the figure "1"; so that said section as amended shall read as follows:

SECTION 1. No female, or minor under eighteen years of age, shall be employed or permitted to work at manual or mechanical labor in any manufacturing establishment more than nine hours in any one day, or more than forty-eight hours in any one week. No female, or minor under eighteen years of age, shall be employed or be permitted to work at manual or mechanical labor in any other employment except household labor and nursing, domestic, hotel and boarding house labor, operators in telegraph and telephone offices and farm labor, more than ten and one-quarter hours during any one day, or more than fifty-four hours in any one week. Where a minor, under eighteen years of age, or a female is employed in the same day or week by more than one employer in manual or mechanical labor in any employment, except household labor and nursing, domestic, hotel and boarding house labor, operators in telegraph and telephone offices and farm labor, the total time of employment shall not exceed that allowed per day or week in a single employment. No such minor or female shall be employed or permitted to work at night work more than eight hours in any twenty-four hours, nor more than forty-eight hours during the week. If any such minor or female is employed or permitted to work more than two nights each week for any time between the hours of 8.00 o'clock P. M., and 6.00 o'clock A. M., of the day following, such employment shall be considered night work. Mercantile establishments for the period of seven days immediately preceding Christmas Day in each year are, as to regular employees, excepted from the operation of this section, but the total number of hours of labor, for any female, or minor under eighteen years of age, regularly employed in such establishment, shall not exceed fifty-four hours per week for the full year.

Amend Section 3, of said bill by striking out the figure "3" in line 1, and inserting in place thereof the figure "2"; so that said section as amended shall read as follows:  
SECT. 2. This act shall take effect thirty days after its passage.

The report of the committee was accepted and the amendment of the committee adopted.

Mr. Aiken of Franklin offered the following amendment:

Amend Section 1 of House Bill No. 1, by inserting after the word "week" in line 5 of the printed bill, the following: "except by mutual agreement between employers and employees to accept a forty-eight hour week to be worked in five days, but in such cases forty-eight hours per week shall not be exceeded," so that said section as amended shall read as follows:

SECTION. 1. No female or minor under eighteen years of age shall be employed or permitted to work at manual or mechanical labor in any manufacturing establishment more than nine hours in any day, or more than forty-eight hours in any one week, except by mutual agreement between employers and employees to accept a forty-eight hour week to be worked in five days, but in such cases forty-eight hours per week shall not be exceeded.

No female or minor under eighteen years of age, shall be employed or be permitted to work at manual or mechanical labor in any other employment, except household labor and nursing, domestic, hotel and boarding house labor, operators in telegraph and telephone offices and farm labor, more than ten and one-quarter hours during any one day, or more than fifty-four hours in any one week. Where a minor, under eighteen years of age, or a female is employed in the same day or week by more than one employer in manual or mechanical labor in any employment, except household labor and nursing, domestic, hotel and boarding house labor, operators in telegraph and telephone offices and farm labor, the total time of employment shall not exceed that allowed per day or week in a single employment. No such minor or female shall be employed or permitted to work at night

work more than eight hours in any twenty-four hours, nor more than forty-eight hours during the week. If any such minor or female is employed or permitted to work more than two nights each week for any time between the hours of 8.00 o'clock P. M. and 6.00 o'clock A. M. of the day following, such employment shall be considered night work. Mercantile establishments for the period of seven days immediately preceding Christmas Day in each year are, as to regular employees, excepted from the operation of this section, but the total number of hours of labor, for any female, or minor under eighteen years of age, regularly employed in such establishment, shall not exceed fifty-four hours per week for the full year.

The amendment offered by Mr. Aiken was adopted.

Mr. Craig of Manchester offered the following amendment:

Amend Section 2 of House Bill No. 1 by striking out in line 1 the word "thirty" and inserting in place thereof the word "sixty"; so that said section as amended shall read as follows: SECT. 2. This act shall take effect sixty days after its passage.

The amendment was adopted.

Mr. Lewis of Newport offered the following amendment:

Amend by inserting after Section 2 a new section to be numbered Section 3:

SECT. 3. In any manufacturing plant where the majority of the help, actually employed therein, vote to have the plant operate in excess of forty-eight hours per week the plant may be so operated, and the provisions of Section 2 shall not be enforced as to such manufacturing plant. The record of such vote shall be placed on file in the office of said manufacturing plant for the inspection of the public, and a copy certified, by the operating manager, forwarded to the attorney general.

Further amend by renumbering Section 3 so it shall read Section 4.

(Discussion ensued.)

Mr. Donnelly of Manchester moved the previous question.

The question being: Shall the previous question be put? The vote was in the affirmative.

The question being on the adoption of the amendment, offered by Mr. Lewis, the vote was in the negative, and the amendment was refused.

Mr. Weeks of Gilford offered the following amendment:

Amend Section 2 by striking out the word "nine" in line 4 of the printed bill and inserting in place thereof the word "eight," so that said section as amended shall read as follows:

SECT. 2. No female or minor under eighteen years of age shall be employed or permitted to work at manual or mechanical labor in any manufacturing establishment more than eight hours in any one day, or more than forty-eight hours in any one week. \* \* \*

(Discussion ensued.)

The question being on the adoption of the amendment offered by Mr. Weeks, the vote was in the negative and the amendment was rejected.

Mr. Jacobs of Lancaster offered the following amendment:

Amend the bill as previously amended by striking out the words "manufacturing establishment" wherever they occur.

(Discussion ensued.)

The question being on the adoption of the amendment, offered by Mr. Jacobs, the vote was in the negative and the amendment was rejected.

The question being: Shall the bill be read a third time?, discussion ensued in which the following gentlemen took part: Craig of Manchester, Price of Lisbon, Bass of Peterborough, Lyford of Concord, Wood of Portsmouth, Mortenson of Gorham, Barry of Nashua, Cox of Manchester, Rudd of Franconia, Winant of Concord, Stevens of Landaff.

Mr. Blais of Manchester moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.



The question being: Shall the bill be read a third time?, the vote was in the affirmative.

On motion of Mr. Stevens of Landaff, it was voted that the rules be suspended and the bill be now put upon its third reading and passage.

The bill was read a third time, by title on motion of Mr. Stevens.

The question being: Shall the bill pass?, Mr. Stevens of Landaff, called for the yeas and nays

The roll was then called with the following result:

YEAS, 228.

ROCKINGHAM COUNTY.—Griffin of Auburn, McDuffee of Candia, MacMurphy, Senecal, Taylor, Ladd, Pridham, LaBranche, Rousseau, Wardman, Hills, Caldwell, Dowdell, Weeks of Portsmouth, Wood of Portsmouth, Casey, Cronin, Cox of Portsmouth, Kane, Bartlett of Raymond, Rand, Coles, Cowan, Felch, Dow of Windham.

STRAFFORD COUNTY.—Locke, Cloutman, Durkin, Howard of Dover, O'Neill, Jr., Fernald, Jenelle, Roberts of Dover, Ryan, Durnin, Comings, Lawrence, Gotts, Edgerly, Gelinas, Marcoux, Davis of Rollinsford, Girard, Cote, Gagne, Hanigan, Houle of Somersworth, Heon.

BELKNAP COUNTY.—Jones of Alton, Holmes, Smith of Belmont, Goodwin, Dunlap, Kempton, Normandin, French, Laycock, Roberts of Meredith, Sanborn of Tilton, Smith of Tilton.

CARROLL COUNTY.—Hamlin, Chandler, Fulton, Philbrick, Thomas, Lord of Wakefield.

MERRIMACK COUNTY.—Desroche, Rollins, Dodge of Concord, Rolfe, Phillips, Cheney of Concord, Danforth, Martin of Concord, Roby, Carleton, King of Concord, Winant, Lee, Gannon, Fowler, Aiken, Garneau, Mahan, Judkins, Chaney, LaSalle, Walker of Hopkinton, Bellerose, Martin of Pembroke, Cheney of Pittsfield, Jackson, Sanborn of Salisbury, Johnson of Warner.

HILLSBOROUGH COUNTY.—Rockwood, Hoyt of Frances-town, Spaulding of Goffstown, Butler, Childs, Merrill of

Hudson, Dodge of Manchester, DeMoulpied, Lord of Manchester, Yantis, Hartford, Johnson of Manchester, Moquin, Murphy of Ward 3, Manchester, Nyberg, Burns of Manchester, Grant, Kelley of Ward 4, Manchester, Fitzgerald, Clancy, Connor, Coyne, Creighton, Fleming, Kelley of Ward 5, Manchester, Kenney, Laughlin, McNulty, Tobin, Barry of Manchester, Burke, Currier of Manchester, Murphy of Ward 6, Manchester, Sibley, Smith of Manchester, Carr, Foye, Godbout, Healey, Quinn, Sullivan of Manchester, Bouchard, Chevrette, Donnelly, Leonard, McLaughlin, Morin, Conboy, McBride, Riley, Rourke, Getz, LeClere, Ploss, Blais of Manchester, Craig, Gowitzke, McDonnell, Roukey, Gauthier of Ward 12, Manchester, Lamy, Maynard, Pecor, Rajotte, St. Germain, Dionne, Duval, Gagnon, Gauthier of Ward 13, Manchester, Remillard, Boilard, Dube, Spillane, Sullivan of Ward 4, Nashua, Sullivan of Ward 5, Nashua, Burns of Nashua, Cotton of Nashua, Doyle, Lyons, Barry of Nashua, Hallisey, Rigney, Sylvestre, Bilodeau, Girouard, Papachristos, Pelletier, Carleton of Pelham, Bass, Hickey.

CHESHIRE COUNTY.—Bemis, Duncan, Hogan, King of Keene, Landers, McGinness, King of Walpole, Wells of Walpole, Qualters.

SULLIVAN COUNTY.—Barry of Charlestown, Gardner.

GRAFTON COUNTY.—Hardy of Ashland, Parker, Webster, Hill of Enfield, Chellis, Lang, Stevens of Landaff, Eastman of Lebanon, Howard of Lebanon, McNamara, Houle of Littleton, Mooney, Nourse, Elms.

COOS COUNTY.—Hayward, Kelcher, Larue, Griffin of Berlin, Smith of Berlin, Hopkins of Berlin, Hutchins of Berlin, Labrie, Frizzell, Young of Colebrook, McHugh, Mortenson, Pottle, McIntire, Nutting, Watson, Hutchins of Stratford, Snow.

NAYS, 163.

ROCKINGHAM COUNTY.—Wheeler of Atkinson, Pike, Tenney of Chester, Johnson of Danville, White, Knights, Batchelder, Merrill of Exeter, Swain, Daniell, Randall, Hobbs, Farmer of Hampton Falls, Blodgett, Bartlett of

Kingston, Littlefield, Dow of North Hampton, Steward, Scruton, Smith of Portsmouth, Trafton.

STRAFFORD COUNTY.—Reynolds, Fogg, Smith of Farmington, Stevens of Milton, Meader, McDuffee of Rochester, Chesley, Preston.

BELKNAP COUNTY.—Sanborn of Center Harbor, Weeks of Gilford, Avery, Jewett, Merrill of Laconia, Badger, Holt, Gordon of New Hampton, Wright.

CARROLL COUNTY.—Currier of Conway, Ela, Chick, Blanchard, Smart, Hoyt of Sandwich, Clow, Hale.

MERRIMACK COUNTY.—Grimes, Albee, Sanborn of Bradford, Robinson of Concord, Lyford, Newton of Concord, Cressy, Kendall, Lund, Murdock, Hill of Loudon, Farmer of Newbury, Cutting, Carter, Wells of Sutton, Wheelwright.

HILLSBOROUGH COUNTY.—Ford, Flint, Clark of Bedford, Balch, Davis of Goffstown, Russell, Boisvert, Weston, Hardy of Hollis, Spaulding of Hudson, Putnam, Cronan, Cox of Manchester, Gordon of Merrimack, Ordway, Robinson of Milford, Cobleigh, Winslow, Eaton, Pentland, Walker of New Ipswich, Smith of Peterborough, Tobey, Eastman of Weare.

CHESHIRE COUNTY.—Hopkins of Keene, Blake, Garfield, Callahan, Spring, Firmin, Dewing, Mason, Jones of Keene, Barrett of Keene, Empey, Gates, Tuttle, Huntley, Sawtelle, Davis of Stoddard, Ball, Dickinson, Burt, Kellom.

SULLIVAN COUNTY.—Clark of Acworth, Barney, Brooks, Etsler, Nichols, Pierce of Claremont, Tenney of Claremont, Wolcott, Rossiter, Franklyn, Barton, Thornton, Bluitte, Glynn, Lewis, Robinson of Newport, Colby, Osborne, Walker of Unity, Farnsworth.

GRAFTON COUNTY.—Southard, Barrett of Bethlehem, Collins, Pulsifer of Campton, Ashley, Rudd, Bridgman, Cross, Davison, Page, Pulsifer of Holderness, Ross, Stanley, Hallett, Price, MacLeod, Converse, Frazer, Harris, Chase, Sherwood, Kidder, Fadden, Cotton of Warren.

COOS COUNTY.—Pierce of Berlin, Moore, Blais of Berlin, Marks, Hunt, Sims, Ferrin, Jacobs, Nay, Rowden, Smith of Northumberland, Wood of Stewartstown, Brown.

Mr. Bartlett of Manchester voting no was paired with Mr. Trombly of Nashua voting yes.

Mr. Young of Berlin voting no was paired with Mr. LaRochelle of Berlin voting yes.

Mr. Reed of Keene voting no was paired with Mr. Webb of Dover voting yes.

Mr. Barry of Nashua moved to reconsider the vote. The vote was against a reconsideration.

On motion of Mr. Stevens of Landaff, it was voted that business in order for three o'clock, be in order at this time.

#### THIRD READING.

The following bill was read a third time, passed and ordered to the Senate for concurrence:

House Bill No. 21, An act concerning the transfer of bodies from one town to another.

On motion of Mr. Aiken of Franklin, at 3.40 the House adjourned.

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#### THURSDAY, FEBRUARY 15, 1923.

The House met at 11 o'clock.

Prayer was offered by the Rev. Mr. Franklyn of Cornish, a member of the House.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 291, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Effingham.

The message further announced that the Senate has passed the following bill, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 19, An act repealing the direct primary and establishing a caucus and convention law.

## COMMUNICATION.

The following letter was read:

*"To the New Hampshire House of Representatives:*

Mrs. James H. Hunt desires to express her appreciation and gratitude for your kindness and sympathy in her great bereavement."

## PETITIONS.

The following petitions were severally introduced against change in Sunday laws, and referred to the Committee on Revision of Statutes:

By Mr. Nichols of Claremont, Petition of citizens of Claremont against change in Sunday laws.

By Mr. Hoyt of Sandwich, Petition of citizens of Laconia against change in Sunday laws.

By Mr. Cutting of New London, Petition of citizens of New London against change in Sunday laws.

By Mr. Phillips of Concord, Petition of citizens of West Concord against change in Sunday laws.

By Mr. Weeks of Gilford, Petition of citizens of Alexandria N. H. against change in Sunday laws.

By Mr. Phillips of Concord, Petition of West Congregational Church of West Concord, N. H. against change in Sunday laws.

By Mr. Craig of Manchester, Petition of citizens of Manchester against change in Sunday laws.

By Mr. Franklyn of Cornish, Petition of citizens of Cornish against change in Sunday laws.

By Mr. Gordon of New Hampton, Petition of citizens of New Hampton against change in Sunday laws.

By Mr. Firmin of Fitzwilliam, Petition of citizens of Troy against change in Sunday laws.

By Mr. Fall of Tamworth, Petition of citizens of Tamworth against change in Sunday laws.

By Mr. Kendall of Concord, Petition of Ministers Association of Manchester against change in Sunday laws.

By Mr. Smith of Peterborough, Petition of citizens of Peterborough, N. H. against change in Sunday laws.

By Mr. Blais of Berlin, Petition of citizens of Berlin against change in Sunday laws.

By Mr. Kendall of Concord, Petition of United Baptist Church and citizens of Somersworth against change in Sunday laws.

By Mr. Frizzell of Colebrook, Petition of citizens of Colebrook against change in Sunday laws.

By Mr. Grimes of Boscawen, Petition of citizens of Colebrook against change in Sunday laws.

#### LEAVES OF ABSENCE.

Messrs. Spaulding of Hudson, and Moquin of Manchester were granted leave of absence for the day on account of business.

#### REGULAR ORDER.

House Bill No. 91 (In New Draft and New Title), An act in amendment of Chapter 7 of the Session Laws of 1907 concerning Holidays, having been printed and distributed, was taken from the table. No amendment being offered, the bill was ordered to a third reading.

Senate Bill No. 19, An act repealing the direct primary and establishing a caucus and convention law.

On motion of Mr. Callahan of Keene, the bill was read a first and second time by title and referred to the Committee on Judiciary.

#### COMMITTEE REPORTS.

Mr. Philbrick of Freedom, for the Committee on Revision of Statutes, to whom was referred House Bill No. 133, An act in amendment of Chapter 105 of the Laws of 1913, as amended by Chapter 26 of the Laws of 1919, and Chapter 126 of the Laws of 1921, relating to lights on certain vehicles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Smith of Portsmouth, for the Committee on Revision

of Statutes, to whom was referred House Bill No. 123, An act in amendment of Chapter 37, Laws of 1895 as amended by Section 9, Laws of 1905 and Section 83, Laws of 1921, relating to Bail Commissioners, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Eastman of Weare, for the Committee on Revision of Statutes, to whom was referred House Bill No. 144, An act in amendment of Section 6 of Chapter 119 of the Laws of 1921, relating to lights on motor vehicles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. King of Concord, for the Committee on Revision of Statutes, to whom was referred House Bill No. 174, An act in amendment of Section 13 of Chapter 119 of the Laws of 1921, relating to careless driving of motor vehicles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Doyle of Nashua, for the Committee on Revision of the Statutes, reported the following entitled bill, House Bill No. 295, An act to fix the salaries of Registers of Deeds and Registers of Probate, with the recommendation that the bill be recommitted to the Committee on Revision of the Statutes.

On motion of Mr. Fernald of Dover, the bill was read a first and second time by title, tabled to be printed, and referred to the Committee on Revision of the Statutes.

Mr. Duncan of Jaffrey, for the Special Committee consisting of the Cheshire County Delegation, to whom was referred House Joint Resolution No. 23, Joint resolution to reimburse the Town of Chesterfield for expenditures in the repair of suspension bridge over Connecticut River in

1921, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hardy of Hollis, for the Committee on Agriculture, to whom was referred House Bill No. 107, An act relating to the sale of farm produce, reported the same, in new draft, with the recommendation that the bill, in its new draft, ought to pass.

On motion of Mr. Fernald of Dover, the bill was read a first and second time by title, tabled to be printed, and taken up in its regular order.

Mr. Butler of Hillsborough, for the Committee on Banks, reported the following entitled bill, House Bill No. 294, An act in amendment of Chapter 109, Session Laws of 1915, entitled "An act to provide for the incorporation and management of trust companies and similar corporations," with the recommendation that the bill be recommitted to the Committee on Banks.

Read by title a first and second time, on motion of Mr. Lyford of Concord, laid upon the table to be printed, and recommitted to the Committee on Banks.

Mr. Griffin of Berlin, for the Committee on Roads, Bridges and Canals, to whom was referred House Joint Resolution No. 9, Joint resolution for the construction of a Highway in the Towns of Dummer and Milan, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Lyford of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 78, An act in amendment of Section 1, Chapter 76, Laws of 1897, relating to Hawkers and Peddlers, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.



Mr. Lyford of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 135, An act regarding the erection of barbed wire fences adjoining highways, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Landers of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 205, An act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 206, An act relating to children born out of wedlock and to make uniform the law relating thereto, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hutchins of Stratford, for the Committee on Judiciary, to whom was referred House Bill No. 207, An act concerning declaratory judgments and decrees and to make uniform the law relating thereto, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Cronin of Portsmouth, for the Committee on Judiciary, to whom was referred House Bill No. 208, An act concerning aeronautics and to make uniform the law with reference thereto, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lyford of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 200, An act in amendment of Section 13, Chapter 191, of the Public Statutes, relating to suits by and against administrators, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lyford of Concord for the Committee on Judiciary, to whom was referred House Bill No. 252, An act in amendment of Section 4, Chapter 76, Laws of 1895, relating to the protection from pollution of sources of water used for domestic purposes, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Lyford of Concord for the Committee on Judiciary, to whom was referred House Bill No. 234, An act in amendment of Chapter 70 of the Laws of 1921, entitled "An act imposing a tax upon the transfer at death of the personal property of non-residents," reported the same with the following resolution:

*Resolved*, That the order referring said bill to the Committee on Judiciary be vacated, and that the bill be referred to the Committee on Ways and Means.

The report was accepted, the resolution of the committee adopted, and the bill so referred.

Mr. Lyford of Concord for the Committee on Judiciary, to whom was referred House Bill No. 235, An act in amendment of Chapter 72, of the Laws of 1921, amending Chapter 40 of the Laws of 1905, and amendments thereto, reported the same with the following resolution:

*Resolved*, That the order referring said bill to the Committee on Judiciary be vacated, and that the bill be referred to the Committee on Ways and Means.

The report was accepted, the resolution of the committee adopted, and the bill so referred.

Mr. Cronin of Portsmouth for the Committee on Judiciary, to whom was referred House Bill No. 204, An act in amendment of Section 1 of Chapter 96 of the Session Laws of 1901, entitled: "An act relating to high schools," as amended by Chapter 118, Laws of 1903, as amended by Chapter 16, Laws of 1917, reported the same with the following amendment with the recommendation that the bill as amended ought to pass.

Amend Section 1 of said bill by striking out the words "one hundred twenty-five" in said section, and inserting in place thereof the words "seventy-five", so that said section as amended will read as follows:

**SECTION 1.** Section 1 of Chapter 96 of the Session Laws of 1901, entitled "An act relating to high schools," as amended by Chapter 118 of the Session Laws of 1903, as amended by the laws of 1917, Chapter 16, is hereby amended by striking out the words "fifty-five" in the last line of the section and substituting the words "seventy-five", so that said section as amended shall read as follows:

**SECTION 1.** Any town not maintaining a high school or school of corresponding grade, shall pay for the tuition of any child who with parents or guardian resides in said town and who attends a high school or academy in the same or another town or city in this State, and the parent or guardian of such child, shall notify the school board of the district in which he resides, of the high school or academy which he has determined to attend: *Provided, however,* that no town shall be liable for tuition of a child in any school in excess of the average cost per child of instruction for the regularly employed teachers of that school and the cost of text books, supplies and apparatus during the school year preceding, nor in any case shall the town be liable for tuition for any child in excess of seventy-five dollars.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Craig of Manchester moved that the expense incurred by the Committee on Labor, for stenographic assistance rendered to it in reporting the hearings on House Bill No.

1, and for providing the committee with copies of the proceedings, be approved and allowed by this House.

The vote was in the affirmative.

Mr. Sibley of Manchester moved that the vote accepting the report of the committee on House Bill No. 123 be reconsidered. The vote was in the affirmative.

Mr. Sibley of Manchester moved that the bill be recommitted to the Committee on Revision of Statutes. The vote was in the affirmative.

#### CHANGE OF COMMITTEE REFERENCE.

On motion of Mr. Reynolds of Dover, it was voted that House Joint Resolution No. 19 be recalled from the Committee on Appropriations and referred back to the Committee on Public Health.

On motion of Mr. Stevens of Landaff, it was voted that the clerk be instructed to procure 500 extra copies of House Bill No. 211.

On motion of Mr. Stevens of Landaff, it was voted that the Committee on Ways and Means be authorized to employ a special clerk to assist the work of the Committee.

On motion of Mr. Craig of Manchester it was voted that business in order at three o'clock be made in order at this time.

On motion of Mr. Smith of Peterborough it was voted, that when the House adjourns today it be to meet again at 9.30 on Friday and adjourn at that time until Monday at 7.30.

#### THIRD READINGS.

House Bill No. 57 (In New Draft), An act in amendment of Section 1, Chapter 143, Laws of 1913, as amended by Section 1, Chapter 14, Laws of 1915, relating to the control of self-hunting dogs.

On motion of Mr. Weeks of Guilford, it was voted that the bill be put back upon its second reading and referred to the Committee on Agriculture.

The following bills were severally read a third time, passed and ordered to the Senate for concurrence:

House Bill No. 66 (In New Draft), An act relating to trespasses upon improved land.

House Bill No. 236, An act to create a State Pier Commission.

House Bill No. 227, An act authorizing the Lancaster Fire Precinct to pay certain moneys to Union School District No. 1 in the town of Lancaster.

House Bill No. 286, An act to exempt from taxation property in Sutton held for public use by the North Sutton Improvement Society.

House Bill No. 292, An act to amend the Charter of the Gordon-Nash Library in New Hampton.

On motion of Mr. Martin of Concord at 12.47 the House adjourned.

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FRIDAY, FEBRUARY 16, 1923.

The House met at 9.30.

On motion of Mr. Kendall of Concord at 9.31 the House adjourned.

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MONDAY, FEBRUARY 19, 1923.

The House met at 7.30.

On motion of Mr. Hutchins of Stratford, at 7.31 the House adjourned.

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TUESDAY, FEBRUARY 20, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

The following resolution was presented and adopted:

*Whereas*, by the death of Representative William B. Deal of Piermont the State has lost a conscientious and valued member. It is

*Resolved*, That the House of Representatives express and

spread upon its records its deep sorrow at the death of Representative Deal. And be it further

*Resolved*, That a copy of this resolution be sent to Mrs. Deal.

For the Committee,

GEORGE W. SIBLEY,  
*Chairman.*

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 12, An act relating to the issue of bonds by the School District of the Town of Hampton.

House Bill No. 60, An act to legalize the biennial election held on the seventh day of November, 1922, in the Town of Langdon.

House Bill No. 56, An act in amendment of Section 3, Chapter 29, Laws of 1893, as amended by Section 1, Chapter 67, Laws of 1897, Section 1, Chapter 14, Laws of 1913, Section 1, Chapter 171, Laws of 1915, and Section 1, Chapter 49, Laws of 1917, relating to highway agents.

House Bill No. 82, An act in amendment of Section 5 of Chapter 46 of the Laws of 1897, relating to the license fee of itinerant vendors.

The message further announced that the Senate has passed the following bill, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 7, An act in relation to the foreclosure of power of sale mortgages of real estate.

#### LEAVES OF ABSENCE.

Messrs. Grimes of Boscawen, Childs of Hillsborough and Cross of Hanover were granted leave of absence for the day on account of business.

Mr. McIntire of Lancaster was granted leave of absence for the week on account of illness in the family.

Messrs. Wardman of Newmarket, Stanley of Lincoln, Weeks of Gilford and Bouchard of Manchester were granted leave of absence for the week on account of business.

Messrs. Willey of Brookfield and Tuttle of Marlborough were granted leave of absence for the week on account of illness.

#### PETITIONS AGAINST CHANGE IN SUNDAY LAWS.

The following petitions against change in Sunday Laws were severally introduced, and referred to the Committee on Revision of Statutes.

By Mr. Hardy of Ashland, petition of E. P. Colby and 50 other citizens of Ashland.

By Mr. Dewing of Alstead, petition of Congregational Church of Alstead and the Congregational Church of Langdon.

By Mr. Dewing of Alstead, petition of Alvin M. Smith and 30 other citizens of Alstead.

By Mr. Kendall of Concord, petition of George H. Nye and other citizens of Brookline.

By Mr. Rudd of Franconia, petition of Mrs. Louise Huntoon and 33 other citizens of Franconia.

By Mr. Rudd of Franconia, petition of W. R. Eaton and 16 other citizens of Franconia.

By Mr. Meader of Rochester, petition of Rev. J. L. Sanders and 50 other citizens of Gonic.

By Mr. Fowler of Epsom, petition of George P. Jenkins and 61 other citizens of Epsom.

By Mr. Murdock of Hill, petition of E. H. Catlin and 28 other citizens of Hill.

By Mr. Converse of Lyme, petition of F. H. Perkins and 46 other citizens of Lyme.

By Mr. Converse of Lyme, petition of F. H. Perkins and 14 other citizens of Lyme.

By Mr. Franklyn of Cornish, petition of Ralph Bartlett and 33 other citizens of Manchester.

By Mr. Ross of Lebanon, petition of Fred Fuller and 40 other citizens of Manchester.

By Mr. Lovejoy of Milford, petition of W. J. Prince and 19 other citizens of Milford.

By Mr. Ross of Lebanon, petition of M. F. Hardy and 19 other citizens of Nelson.

By Mr. Pridham of New Castle, petition of Congregational Church of New Castle.

By Mr. Connor of Newfields, petition of Rev. F. L. Payson and 20 other citizens of Newfields.

By Mr. Balch of Bennington, petition of Congregational Church of Bennington.

By Mr. Collins of Bristol, petition of John Cowen and 102 other citizens of Bristol.

By Mr. Franklyn of Cornish, petition of United Baptist Convention of New Hampshire.

By Mr. Kendall of Concord, petition of Derry-Hollis Association of Congregational Ministers.

By Mr. Philbrick of Freedom, petition of Anna W. Heikes and 31 other citizens of Freedom.

By Mr. Philbrick of Freedom, petition of N. M. Heikes and 30 other citizens of Freedom.

By Mr. Reed of Keene, petition of Mrs. Kate E. Coggin and 58 other citizens of Keene.

By Mr. Reed of Keene, petition of George B. Clement and 24 other citizens of Keene.

By Mr. Kendall of Concord, petition of Charles R. Bean and 38 other citizens of Laconia.

By Mr. Ross of Lebanon, petition of Howard H. White and 66 other citizens of Lebanon.

By Mr. Kendall of Concord, petition of First Congregational Sunday School of Manchester.

By Mr. Reed of Keene, petition of W. H. Burbank and 42 other citizens of Manchester.

By Mr. Long of Marlboro, petition of S. Burman Long and 14 other citizens of Manchester.

By Mr. Colby of Plainfield, petition of Plainfield Baptist Church of Plainfield.

By Mr. Cotton of Warren, petition of Alice Mellor and 15 other citizens of Warren.



By Mr. Cotton of Warren, petition of I. Mellor and 15 other citizens of Warren.

#### COMMITTEE REPORTS.

Mr. Fall of Tamworth, for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 11, Joint resolution to provide for the making of topographic maps of the State of New Hampshire, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Fall of Tamworth for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 31, Joint Resolution for the improvement of the main road in the Town of Tamworth from Whittier to Chocorua, reported the same in new draft with the recommendation that the Joint resolution in its new draft ought to pass.

Read a first and second time, laid on the table to be printed and referred to the Committee on Appropriations under the rules.

Mr. Fall of Tamworth for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 32, Joint Resolution to provide for co-operation with the United States Geological Survey in the establishment and maintenance of stream flow gauging station, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Fall of Tamworth for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 40, Joint Resolution in aid of the Town of Haverhill in building a bridge across the Connecticut River, reported the same in new draft with the recommendation that the Joint resolution in its new draft ought to pass.

Read a first and second time, tabled to be printed and referred to the Committee on Appropriations.

Mr. Fall of Tamworth for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 34, Joint resolution for establishing a free bridge in the Town of Monroe, reported the same with the following amendment, and the recommendation that the Joint resolution as amended ought to pass.

Amend by striking out in lines 9 and 10 the following: "provided that not more than one-half the total cost thereof shall be paid by this State", so that said resolution as amended shall read as follows:

"That the sum of two thousand dollars, or so much thereof as may be required, is hereby appropriated for state aid in the purchase of the Lyman bridge, so called, extending across the Connecticut River between the towns of Monroe, New Hampshire, and Barnet, Vermont, at the village of McIndoes, or the privilege, easement or franchise of the proprietors of Lyman bridge, and the establishment of said bridge as a free highway bridge. Said appropriation shall be expended under the supervision of the Governor and Council; and the Governor is authorized to draw his warrant for the same from the money appropriated for highways."

The report and amendment were accepted and adopted, and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Fall of Tamworth for the Committee on Public Improvements, reported the following Joint resolution, House Joint Resolution No. 45, Joint resolution for the improvement of a highway leading from Freedom to East Madison, with the recommendation that the Joint resolution be recommitted.

Read a first and second time, tabled to be printed, and referred to the Committee on Public Improvements.

Mr. Cobleigh of Nashua, for the Committee on Revision of Statutes, to whom was referred House Bill No. 46, An act in amendment of Section 1, Chapter 87 of the Public Statutes in relation to the maintenance of bastard children,

reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 1 by striking out in line 2 of the printed bill the words "of New Hampshire"; further amend by striking out in lines 4 and 9 of said printed bill the words "one year" and inserting in place thereof the words "ninety days", so that said section as amended shall read as follows:

Section 1. Amend Section 1 of Chapter 87 of the Public Statutes by inserting after the word "oath" in said section the words "at any time before or within ninety days after the birth of such child" so that when amended said section shall read as follows:

"Section 1. If any woman is pregnant with a child which, if born alive, may be a bastard, she may make a complaint in writing, under oath, at any time before or within ninety days after the birth of such child, to any justice of the peace, against any man, charging him with having begotten the child; and the justice may thereupon issue his warrant commanding the person so charged to be brought before some justice of the peace in and for the county in which the offense is alleged to have been committed, or in which the person so charged may reside."

The report was accepted and the amendment adopted.

On motion of Mr. Martin of Concord it was voted that the bill as amended be tabled, in view of the fact that a similar bill is under consideration by the Committee on Judiciary.

Mr. Doyle of Nashua for the Committee on Revision of the Statutes, to whom was referred House Bill No. 148, An act in amendment of Section 18, Chapter 119 of the Session Laws of 1921, relating to operating motor vehicles while under the influence of intoxicating liquor, reported the same with the following amendments and the recommendation that the bill as amended ought to pass.

Amend Section 1 by striking out in line 28 the words "one year" and inserting in place thereof the words "six months", so that section, as amended, shall read as follows:

SECTION 1. Amend Section 18 of Chapter 119 of the

Session Laws of 1921 by striking out all of said section and inserting a new section in place thereof as follows:

"SECT. 18. Whoever upon any way operates a vehicle recklessly or while under the influence of intoxicating liquor, or so that the lives or safety of the public might be endangered, or upon a bet, wager, or race, or who operates a vehicle for the purpose of making a record, and thereby violates any of the provisions of section 13 of this act or any special regulations made under the authority conferred by Section 14 of this act shall be punished by a fine not exceeding one hundred dollars, or by imprisonment not exceeding six months, or both, and for a second offence he shall be punished by imprisonment not less than one month and not exceeding one year. A conviction of a violation of this section shall be reported forthwith by the court or trial justice to the commissioner, who shall revoke immediately the license of the person so convicted and the commissioner may revoke the license of any person who shall be convicted of a similar offense by a court of any other state. Whenever any person so convicted appeals, the said commissioner shall suspend forthwith the license of the person so convicted and shall order him to deliver his license to said commissioner, and shall not reissue said license until said person is acquitted in a court having jurisdiction of the offense charged. No new license or certificate shall be issued by said commissioner to any person convicted of operating a vehicle while under the influence of intoxicating liquor within six months after the date of such final conviction, and then only upon satisfactory evidence that the interests of the public will not be jeopardized thereby, and no license or certificate shall be issued to any one convicted of any of the other provisions of this section until after sixty days from the date of such final conviction."

Further amend said bill by inserting the following new section:

SECT. 2. This act shall take effect upon its passage.

The report was accepted, the amendments adopted, and the bill ordered to a third reading.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred House Bill No. 125, An act in amendment of Section 18, Chapter 119, Laws of 1921, relating to Motor Vehicle Law, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Comings of Lee for the Committee on Agricultural College, reported the following Joint resolution, House Joint Resolution No. 44, Joint Resolution appropriating money for the New Hampshire College of Agriculture and the mechanic arts; with the recommendation that the Joint resolution be recommitted to the Committee on Agricultural College.

Read a first and second time, tabled to be printed, and referred to the Committee on the Agricultural College.

Mr. Barry of Nashua for the Committee on Appropriations, to whom was referred House Joint Resolution No. 5, Joint resolution appropriating money for purposes of continuing the work of eradicating bovine tuberculosis and controlling and suppressing contagious and infectious diseases among domestic animals, reported the same with the following amendment, and the recommendation that the Joint resolution as amended ought to pass.

Amend by striking out the word "fifty" in line 1, and inserting in place thereof the word "thirty-five," so that said resolution as amended shall read as follows:

"That the sum of thirty-five thousand dollars be, and the same is, hereby appropriated for the purpose of continuing the work of eradicating bovine tuberculosis under the accredited herd plan, and controlling and suppressing contagious and infectious animal diseases to July 1, 1923. The Governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated."

The report was accepted, the amendment adopted, and the Joint resolution ordered to a third reading.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 38, Joint resolution in favor of the estate of George W. Benson, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution ordered to a third reading.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 22, Joint resolution in favor of the New Hampshire Old Home Week Association, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution ordered to a third reading.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 13, Joint resolution in favor of Hubert J. Kennedy, reported the same with the following amendment, and the recommendation that the Joint resolution as amended ought to pass.

Amend by striking out all after the figures "1922" in line 5 and inserting in place thereof the following: "and that said sum be made a charge upon the State Aid Maintenance Fund for highways and the state treasurer is hereby authorized to pay the same out of said fund." So that said Joint resolution, as amended, shall read as follows:

"That the sum of three hundred and seventy-five dollars be allowed and paid to Hubert J. Kennedy for expenses arising out of an accident suffered by him while in the performance of his duties as an employee of the state highway department on or about November 8, 1922; and that said sum be made a charge upon the State Aid Maintenance Fund for highways and the state treasurer is hereby authorized to pay the same out of said fund."

The report was accepted, the amendment adopted, and the Joint resolution ordered to a third reading.

Mr. Gannon of Concord, for the special committee consisting of the delegation from the city of Concord, to whom

was referred House Bill No. 168, An act relating to the precincts in the City of Concord, reported the same with the recommendation that the Bill ought to pass.

The following amendment was offered by Mr. Phillips of Concord:

Amend Section 1 of House Bill No. 168 by striking out after the word "that" in line 6 of the printed bill the following "nothing herein shall deprive the said Board of Aldermen of the right to determine the limits within which the precinct service shall be supplied" and inserting in place thereof the following: "no assessment shall be levied for a local benefit without extending that benefit to the property so taxed within reasonable limits" so that said section as amended shall read as follows:

"SECTION 1. The City of Concord may, by vote of its Board of Aldermen, abolish any or all of the precincts now established wholly within its limits, or combine all of said precincts into one precinct and enlarge the same to become coextensive with the territorial limits of said City; *provided*, that no assessment shall be levied for a local benefit without extending that benefit to the property so taxed within reasonable limits; *provided*, that the said Board of Aldermen may continue the separate organization of any or all of the precincts so abolished or so combined for the purpose of paying off the bonds or notes of such precinct or precincts which may remain outstanding and unpaid at the time of such abolition or combination, such separate organization to continue only for such purpose and only until such time, in the case of each precinct, as the last bond or note so outstanding shall be paid or retired; *provided*, further, that nothing in this act shall apply to school districts or water precincts."

The question being on the adoption of the amendment, a viva voce vote was against the adoption of the amendment.

The report was accepted and the bill ordered to a third reading.

Mr. Gannon of Concord for the Special Committee consisting of the delegation from the City of Concord, to

whom was referred House Bill No. 229, An act in amendment of Chapter 305, Laws of 1909, entitled: "An act to revise the Charter of the City of Concord, and Chapter 245, Laws of 1919 in amendment thereof," reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Collins of Bristol it was voted that when the House adjourns on Thursday it be out of respect to the memory of George Washington.

#### TAKEN FROM THE TABLE.

House Bill No. 293, An act relating to the issue of bonds by the Town of Hooksett.

On motion of Mr. Martin of Concord the bill was ordered back to the Committee on Judiciary.

#### SENATE BILL INTRODUCED.

Senate Bill No. 7, An act relating to the foreclosure of power of sale mortgages of Real Estate.

Read a first and second time and referred to the Committee on Judiciary.

On motion of Mr. Lyford of Concord at 12.50 the House adjourned from the morning session.

#### AFTERNOON.

##### ORDER VACATED.

The order by which House Joint Resolution No. 9, Joint resolution for the construction of a highway in the Towns of Dummer and Milan, was placed on its third reading, was vacated and the resolution ordered to the Committee on Appropriations under the rules.

##### THIRD READINGS.

The following bills were severally read a third time, passed and ordered to the Senate for concurrence:

House Bill No. 91, (In New Title), An act in amendment of Chapter 7, Session Laws of 1907, concerning holidays.



House Bill No. 252, An act in amendment of Section 4, Chapter 76, Laws of 1895, relating to the protection from pollution of sources of water used for domestic purposes.

House Bill No. 204, An act in amendment of Section 1 of Chapter 96 of the Session Laws of 1901, entitled "An act relating to high-schools" as amended by Chapter 118, Laws of 1903, as amended by Chapter 16, Laws of 1917.

The bill was read a third time.

On motion of Mr. Hoyt of Sandwich the vote on the passage of the bill was not taken and was made a special order for tomorrow at 11.01.

On motion of Mr. Sibley of Manchester at 3.11 the House adjourned.

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### WEDNESDAY, FEBRUARY 21, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

#### PETITIONS.

The following petitions against change in Sunday Laws were severally introduced and referred to the Committee on Revision of Statutes:

By Mr. Smith of Belmont, petition of Rev. C. E. Davis and 17 other citizens of Belmont.

By Mr. Moore of Berlin, petition of A. N. Chandler and 22 other citizens of Berlin.

By Mr. Rockwood of Brookline, petition of Harlan J. Whitcomb and 9 other citizens of Brookline.

By Mr. Tallman of Canterbury, petition of Leroy A. Glines and 22 other citizens of Canterbury.

By Mr. Kendall of Concord, petition of Irving Fuller and 29 other citizens of Contoocook.

By Mr. MacMurphy of Derry, petition of Frank G. How and 19 other citizens of Derry.

By Mr. Weeks of Gilford, petition of A. B. Thompson and 21 other citizens of Gilford.

By Mr. Thornton of Grantham, petition of D. J. Reney and 36 other citizens of Grantham.

By Mr. Gilchrist of Henniker, petition of Fremont L. Pugsley and 36 other citizens of Henniker.

By Mr. Price of Lisbon, petition of Lettie L. Glazier and 34 other citizens of Lisbon.

By Mr. Price of Lisbon, petition of Norman C. Fox and 25 other citizens of Lisbon.

By Mr. Kent of Londonderry, petition of The Baptist Congregation and 24 other citizens of Londonderry.

By Mr. Roberts of Meredith, petition of Fred H. Smith and 33 other citizens of Meredith.

By Mr. Roberts of Meredith, petition of Thomas J. Cate and 38 other citizens of Meredith.

By Mr. Roberts of Meredith, petition of Mrs. Carrie Smith and 23 other citizens of Meredith.

By Mr. Dowdell of Portsmouth, petition of Winnefred C. Libby and 9 other citizens of Portsmouth.

By Mr. Dowdell of Portsmouth, petition of Walter S. Woods and 36 other citizens of Portsmouth.

By Mr. Dowdell of Portsmouth, petition of Isaac Higginbotham and 40 other citizens of Portsmouth.

By Mr. Lowe of Rochester, petition of Ruth Hartford and 22 other citizens of Rochester.

By Mr. Snow of Whitefield, petition of Rev. Guy Roberts and 32 other citizens of Whitefield.

By Mr. Snow of Whitefield, petition of J. E. Baker and 39 other citizens of Whitefield.

By Mr. Snow of Whitefield, petition of C. E. Laughlin and 11 other citizens of Whitefield.

By Mr. Smith of Belmont, petition of O. T. Muzzey and 17 other citizens of Lakeport.

By Mr. Smith of Belmont, petition of Alice J. Case and 37 other citizens of Lakeport.

By Mr. Smith of Belmont, petition of Jennie E. Arnold and 24 other citizens of Lakeport.

By Mr. Smith of Belmont, petition of Benjamin Smith and 26 other citizens of Lakeport.

By Mr. Franklyn of Cornish, petition of First Baptist Church and Christian Endeavor Society of Meriden.

By Mr. Franklyn of Cornish, petition of The Baptist Church of Newport.

By Mr. Reed of Keene, petition of Keene Civic Council.

By Mr. Etsler of Claremont, petition of H. F. Clarke and fifty other citizens of Claremont.

By Mr. Callahan of Keene, petition of Bernard Christopher and 45 other citizens of Hampton.

By Mr. Callahan of Keene, petition of H. G. Lane and 40 other citizens of Hampton.

By Mr. Hoyt of Sandwich, petition of Frank W. Davis and 15 other citizens of Sandwich.

Mr. Snow of Whitefield presented the petition of C. C. King and 144 other citizens of Whitefield and vicinity against changes in Fish and Game laws. The petition was referred to the Committee on Fish and Game.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill and Joint resolution, sent up from the House of Representatives:

House Joint Resolution No. 8, Joint resolution in favor of changing the name of the highway known as "West Side Road" to the "Dartmouth College Road."

House Bill No. 20, An act to establish a new apportionment for the assessment of public taxes.

#### LEAVES OF ABSENCE.

Mr. Weston of Hancock was granted leave of absence for the week on account of illness.

Mr. Boilard of Nashua was granted leave of absence for the week on account of business.

#### REPORTS OF COMMITTEES.

Mr. Colby of Plainfield, for the Committee reported that the Committee on Engrossed Bills have examined and found

correctly engrossed the following entitled bills and joint resolutions:

House Bill No. 11, An act to legalize the biennial election held on the seventh day of November, 1922, in the Town of Brookline.

House Bill No. 13, An act to legalize the votes and proceedings of the Town of Hopkinton at the biennial election held November 7, 1922.

House Bill No. 55, An act to legalize the biennial election held on the seventh day of November, 1922, in the Town of Amherst.

House Bill No. 63, An act to legalize the biennial election held on the seventh day of November, 1922, in the Town of Marlow.

House Bill No. 77, An act to legalize the biennial election held on the seventh day of November, 1922, in the Town of Warren.

House Bill No. 92, An act legalizing the biennial election held in the Town of Chesterfield on November 7, 1922.

House Bill No. 285, An act to change the corporate name of the Exeter Cottage Hospital.

House Joint Resolution No. 10, Joint resolution in favor of William H. Knox and others.

House Joint Resolution No. 43, Joint resolution relating to the valuation of railroads.

The report was accepted.

Mr. Griffin of Berlin, for the Committee on Roads, Bridges and Canals, to whom was referred House Joint Resolution No. 20, Joint resolution for the improvement of a highway in the Town of Bethlehem, leading from the Littleton town line to the Whitefield town line by the way of Wing Road, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Griffin of Berlin, for the Committee on Roads, Bridges and Canals, to whom was referred House Bill No. 50, An act in amendment of Section 4, Chapter 168, Laws of 1913,

relating to the state highway from Merrimack Valley Road to East Side Route, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 1 by inserting before the word "towns" in line 3, the following: "Section 4."

Further amend by adding the following section:

Section 2. This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Griffin of Berlin for the Committee on Roads, Bridges and Canals, to whom was referred House Bill No. 68, An act to establish a continuous highway from the West Side Road in the Town of Carroll to the Gorham Hill Road in the Town of Randolph, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Davison of Haverhill for the Committee on Judiciary, to whom was referred House Bill No. 237, An act enlarging the powers of the Public Service Commission to authorize the discontinuance of steam railways in certain cases, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Davison of Haverhill for the Committee on Judiciary, to whom was referred House Bill No. 250, An act to legalize the biennial election held on the seventh day of November, 1922, in the Town of Alton, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Jewett of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 73, An act in amendment of Section 13 of Chapter 191 of the Public Statutes, relating to suits by and against administrators, reported the

same in new draft, with the recommendation that the bill ought to pass in new draft.

Read a first and second time and tabled to be printed.

Mr. Barry of Manchester for the Committee on Judiciary, to whom was referred House Bill No. 8, An act to create a court of industrial relations, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 35, An act in amendment of Chapter 121, Section 1, Laws of 1919, relating to the fiduciary powers of banks and trust companies, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

On motion of Mr. Jacobs of Lancaster, it was voted that the bill with the resolution be made a Special Order for Tuesday next, at 11.01.

Mr. Martin of Concord for the Committee on Judiciary, to whom was referred House Bill No. 108, An act in amendment of Section 9 of Chapter 178 of the Public Statutes, relating to the investment of funds of wards held by guardians, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Cronin of Portsmouth for the Committee on Judiciary, to whom was referred House Bill No. 210, An act limiting the liability of Municipal Corporations for sewer overflow, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barry of Nashua for the Committee on Appropriations, reported the following joint resolution, House Joint Resolution No. 47, Joint resolution appropriating money for the payment of rental in the Patriot Building in Concord,

with the recommendation that the Joint resolution ought to pass.

Read a first and second time.

On motion of Mr. Barry of Nashua the rules were suspended, the printing dispensed with and the Joint resolution ordered to a third reading. On motion of the same gentleman the rules were further suspended, the Joint resolution read a third time, passed and sent to the Senate for concurrence.

Mr. Jacobs of Lancaster for the Committee on Judiciary, reported the following entitled bill, House Bill No. 297, An act in amendment of Section 14, of Chapter 192 of the Public Statutes, relating to the reports of commissioners, with the recommendation that the bill be recommitted to the Committee on Judiciary.

Read a first and second time, tabled to be printed and referred to the Committee on Judiciary.

Mr. Jacobs of Lancaster for the Committee on Judiciary, reported the following entitled bill, House Bill No. 298, An act in amendment of Section 1 of Chapter 192 of the Public Statutes, relating to the acceptance of Commissioner's reports, with the recommendation that the bill be recommitted to the Committee on Judiciary.

Read a first and second time, tabled to be printed and recommitted to the Committee on Judiciary.

Mrs. Bartlett of Raymond for the Committee on Public Health, to whom was referred House Bill No. 71, An act to create a board for the preliminary examination of all persons who desire to practice medicine, surgery, osteopathy, chiropractic, or any other form of healing, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Bartlett of Raymond, for the Committee on Public Health, to whom was referred House Bill No. 95, An act relating to the by-products of creameries, cheese factories, milk plants, skimming stations, condensing plants, and

other milk processing plants, reported the same with the recommendation that the bill be referred to the Committee on Agriculture.

The report was accepted, the recommendation of the committee adopted, and the bill referred to the Committee on Agriculture.

Mr. Stevens of Landaff, for the Committee on Ways and Means, to whom was referred House Bill No. 117, An act in relation to levying an excise tax on billboards, reported the same with the following resolution:

*Resolved*, That the bill is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Reynolds of Dover, for the Committee on Public Health, reported the following entitled bill, House Bill No. 296, An act to regulate the manufacture and sale of beverages, without recommendation. The bill was read a first and second time, tabled to be printed, and referred to the Committee on Public Health.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 109, An act in amendment of Chapter 162, Laws of 1915, as amended by Chapter 75 of the Laws of 1917, and by Chapter 171, Laws of 1917, relating to trust funds held by towns and cities, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Reynolds of Dover, for the Committee on Public Health, reported the following Joint Resolution, House Joint Resolution No. 46, Joint resolution for improvements at N. H. State Sanatorium, without recommendation.

Read a first and second time, tabled to be printed, and referred to the Committee on Public Health.

#### BILL TAKEN FROM THE TABLE.

House Bill No. 107, An act relating to the sale of farm produce. Ordered to a third reading.



Mr. Callahan of Keene presented the following resolution which was adopted:

*Whereas*, the printed copies of House Bill No. 242, relating to the vaccination of school children have been exhausted,

*Resolved*, That the clerk be authorized to procure 300 additional copies.

#### PERSONAL PRIVILEGE.

Mr. Lyford of Concord arose to a question of personal privilege arising out of certain newspaper articles in regard to the proposed Constitutional Amendments. On motion of Mr. Stevens of Landaff the House unanimously approved the statement issued by Mr. Lyford as Chairman of the Legislative Committee of the Constitutional Convention.

#### SPECIAL ORDER.

Mr. Hoyt of Sandwich called for the Special Order, it being House Bill No. 204, An act in relation to high schools.

The bill having been put back on its second reading the same gentleman proposed to amend the bill, as amended, by substituting "sixty-five" for "seventy-five" wherever it appears in the bill as amended. On *viva voce* vote the amendment proposed was rejected, and the bill ordered to a third reading.

On motion of Mr. Wood of Portsmouth the rules were suspended, and business in order for three o'clock made in order at this time.

#### THIRD READINGS.

The following bill was read a third time, passed, and ordered to the Senate for concurrence.

House Bill No. 168, An act relating to the precincts in the City of Concord.

House Bill No. 229, An act in amendment of Chapter 305, Laws of 1909, entitled "An act to revise the charter of the City of Concord and Chapter 245, Laws of 1919 in amendment thereto."

On motion of Mr. Lyford of Concord the rules were suspended, the bill was read a third time by title, passed and ordered to the Senate for concurrence.

House Joint Resolution No. 5, Joint resolution appropriating money for purposes of continuing the work of eradicating bovine tuberculosis and other purposes.

Read a third time, passed and ordered to the Senate for concurrence.

House Joint Resolution No. 38, Joint resolution in favor of the estate of George W. Benson.

Read a third time, passed and ordered to the Senate for concurrence.

House Joint Resolution No. 22, Joint resolution in favor of the New Hampshire Old Home Week Association.

Read a third time, passed and ordered to the Senate for concurrence.

House Joint Resolution No. 13, Joint resolution in favor of Hubert J. Kennedy.

Read a third time, passed and ordered to the Senate for concurrence.

House Bill No. 148, An act in amendment of Section 18, Chapter 119 of the Session Laws of 1921, relating to operating motor vehicles while under the influence of intoxicating liquor.

On motion of Mr. Aiken of Franklin the rules were suspended, the bill was read a third time by title, passed and ordered to the Senate for concurrence.

On motion of Mr. Smith of Peterborough at 1.20 the House adjourned until tomorrow at 11 o'clock.

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THURSDAY, FEBRUARY 22, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the

House of Representatives in the passage of the following entitled bills and sent up from the House of Representatives:

House Bill No. 16, An act authorizing the Rockingham County Light and Power Company to issue preferred stock and for other purposes.

House Bill No. 38, An act to authorize licensing public utilities to exercise rights on public lands.

House Bill No. 44, An act to authorize the discontinuance of state highways.

House Bill No. 81, An act authorizing the town of Rumney to raise money by taxation for the care of cemeteries.

House Bill No. 98 (New Draft and New Title), An act to legalize certain acts of the town of Littleton and to authorize the issue of town bonds.

House Bill No. 101, An act in amendment of Section 55, Chapter 133, Laws of 1915 as amended by Section 20, Chapter 184, Laws of 1917 and Chapter 146, Laws of 1919 and Chapter 93, Laws of 1921, to regulate the issuing of hunting licenses.

House Bill No. 286, An act to exempt from taxation property in Sutton held for public use by the North Sutton Improvement Society.

House Bill No. 287, An act to amend the Charter of the Keene Academy.

House Bill No. 288, An act in amendment of Chapter 133, Laws of 1915, as amended by Laws of 1917, 1919, and 1921, in relation to Migratory Birds.

House Bill No. 289, An act in amendment of Chapter 93, Laws of 1921, in relation to the issuance of hunting licenses.

The message further announced that the Senate has voted to concur with the House of Representatives in passage of the following entitled bill with an amendment in the adoption of which amendment it asks the concurrence of the House of Representatives:

House Bill No. 25, An act amending Section 2 of Chapter 189 of the Laws of 1917 relating to taxation of deposits in Banks in other states.

Amend Section 1, by striking out the word Banks in lines 4 and 7 and inserting in place thereof the words Trust Companies so that said section as amended shall read as follows;

SECTION 1. Amend Section 2 of Chapter 189 of the Laws of 1917, by striking out the whole of said section and substituting therefor the following:

SECT. 2. If any State exempts deposits in Savings Banks or in Savings Departments of Trusts Companies in this State, including interest thereon, to owners residing in that State, the provisions of this act shall not apply to deposits in Savings Banks and Saving Departments of Trust Companies and interest thereon in that State.

#### PETITIONS PRESENTED AND REFERRED.

The following petitions against change in Sunday laws were severally introduced and referred to the Committee on Revision of Statutes:

By Mr. Randall of Hampstead, petition of citizens of Hampstead against change in Sunday laws.

By Mr. Lovejoy of Milford, petition of citizens of Milford against change in Sunday laws.

By Mr. MacMurphy of Derry, petition of Central Congregational Church of Derry, against change in Sunday laws.

By Mr. Stevens of Milton, petition of Free Baptist Church against change in Sunday laws.

By Mr. Cowan of Salem, petition of citizens of Salem, against change in Sunday laws.

By Mr. Rockwood of Brookline, petition of citizens of Brookline against change in Sunday laws.

By Mr. Grimes of Boscawen, petition of citizens of Penacook against change in Sunday laws.

By Mr. Kendall of Concord, petition of citizens of Grasmere, against change in Sunday laws.

#### LEAVES OF ABSENCE.

Messrs. Morin of Manchester, Chellis of Grafton and Preston of Strafford were granted leave of absence for the day on account of business.

Mr. Wood of Stewartstown was granted leave of absence for the ensuing week on account of business.

#### REPORTS OF COMMITTEES.

Mr. Colby of Plainfield for the Committee reported that the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills:

House Bill No. 12, An act relating to the issue of bonds by the School District of the town of Hampton.

House Bill No. 56, An act in amendment of Section 3, Chapter 29, Laws of 1893, as amended by Section 1, Chapter 67, Laws of 1897, Section 1, Chapter 14, Laws of 1913, Section 1, Chapter 171, Laws of 1915, and Section 1, Chapter 49, Laws of 1917, relating to highway agents.

House Bill No. 60, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Langdon.

House Bill No. 82, An act in amendment of Section 5 of Chapter 46 of the Laws of 1897 relating to the license fee of itinerant vendors.

House Bill No. 291, An act to legalize the biennial election held on the seventh day of November, 1922, in the town of Effingham.

House Bill No. 20, An act to establish a new apportionment for the assessment of public taxes.

The report was accepted.

Mr. Hardy of Hollis, for the Committee on Agriculture to whom was referred House Bill No. 232, An act relating to inspection of creameries and milk stations and the manipulation of tests for determining composition of dairy products, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Hardy of Hollis, for the Committee on Agriculture to whom was referred House Bill No. 57, (In New Draft and Title), An act in amendment of Section 1, Chapter 143, Laws of 1913, as amended by Section 1, Chapter 14, Laws of 1915, relating to the control of self-hunting dogs, reported the

same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by striking out Sections 2 and 3, and inserting in place thereof the following:

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Hardy of Hollis, for the Committee on Agriculture to whom was referred House Bill No. 248, An act for the protection of apple orchards, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 1 by adding at the end thereof the following: "*Provided*, any person under the direction of the Commissioner of Agriculture, and at his own expense, may enter upon the wild and uncultured lands of another, and destroy any insect pest or plant disease, then and there being a menace to his property." So that said section, as amended, shall read as follows:

SECTION 1. The Commissioner of Agriculture, himself, his deputies, agents or assistants, upon the complaint of the owner of an apple orchard, or any other person, may inspect any orchard, field, garden, roadside, or other place where trees, shrubs or other plants exist, whether public or private property, which may bear leaf-eating insects, fungous diseases, or be infested with San Jose Scale, or any other serious insect pest or plant disease, and if in the judgment of such Commissioner, his deputies, agents or assistants these pests or diseases are likely to cause loss or damage to adjoining owners, he may serve upon the owner, occupant or person in charge of said infested or diseased trees, shrubs or other plants a written notice of the presence of such pests or diseases, with a statement that they constitute a public nuisance, together with directions to abate the same, giving the methods of treatment for the abatement thereof, and setting a reasonable time within which the nuisance must be abated in accordance with the methods therein given. If

the person so notified refuses or neglects to treat or destroy such trees, shrubs or other plants within the prescribed time, the Commissioner of Agriculture, his deputies, agents or assistants may cause such property to be so treated or destroyed, and may employ all necessary assistants, who may enter upon any private or public property, if such entry is necessary for the purpose. Upon the completion of such treatment, if done under the direction of the Commissioner, his deputies, agents or assistants, the Commissioner shall certify to the owner or person in charge of the treated property the amount of the cost of such treatment, and if this be not paid to the Commissioner for the purpose of being turned into the State Treasury within ninety days thereof, the same may be recovered by suit, together with the cost of the suit, in the name of the Commissioner of Agriculture of the State of New Hampshire, and all sums recovered, less any actual expense not taxable as costs, shall be paid into the State Treasury.

*Provided*, any person under the direction of the Commissioner of Agriculture, and at his own expense, may enter upon the wild and uncultured lands of another, and destroy any insect pest or plant disease, then and there being a menace to his property.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Hardy of Hollis for the Committee on Agriculture reported the following entitled bill, House Bill No. 302, An act to regulate the shipment of live stock, with the recommendation that the bill be recommitted to the Committee on Agriculture.

On motion of Mr. Fernald of Dover the rules were suspended, the bill read a first and second time by title, tabled to be printed, and then referred to the Committee on Agriculture.

Mr. Hardy of Hollis for the Committee on Agriculture, to whom was referred House Joint Resolution No. 29, a Joint resolution appropriating money for agricultural fairs in New Hampshire, reported the same with the following amendment, and the recommendation that the Joint resolution as amended ought to pass.

Amend by inserting after the word "appropriated" in line 2 the word "annually"; further amend by inserting after the word "made" in line 2 the following: "at town and county fairs, also" so that said resolution, as amended, shall read as follows:

That the sum of twenty-five hundred dollars be and the same is hereby appropriated annually for agricultural exhibits made at town and county fairs, also at fairs incorporated under the laws of the State of New Hampshire where total premiums paid for agricultural exhibits the preceding year were five hundred dollars or over. Said sums shall be expended by the Commissioner of Agriculture under such rules and regulations as he may direct, and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Blais of Manchester, for the Special Committee consisting of the Manchester Delegation, to whom was referred House Bill No. 115, An act to provide that the tax assessors of the City of Manchester shall be elected by direct vote of the citizens, reported the same with the recommendation that the bill ought to pass.

A minority of the Special Committee consisting of the delegation from Manchester, to whom was referred House Bill No. 115, An act to provide that the tax assessors of the City of Manchester shall be elected by direct vote of the citizens, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

JOHN P. CRONAN,  
A. D. DEMOULPIED,  
EFFIE E. YANTIS,  
ISAAC N. COX,  
OSCAR F. BARTLETT,  
HARRY B. CILLEY,  
HARRY T. LORD.



On motion of Mr. Cox of Manchester, it was voted that the bill with the two reports be made a Special Order for Tuesday next at 11.02.

Mr. Blais of Manchester, for the Special Committee consisting of the Manchester Delegation, to whom was referred House Bill No. 118, An act in relation to the finance commission for the City of Manchester, reported the same with the recommendation that the bill ought to pass.

A minority of the Special Committee consisting of the Delegation from Manchester, to whom was referred House Bill No. 118, An act in relation to the Finance Commission for the City of Manchester, being unable to agree with the majority reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

HARRY T. LORD,  
ISAAC N. COX,  
OSCAR F. BARTLETT,  
EFFIE E. YANTIS,  
JAMES E. DODGE,  
ARTHUR W. DEMOULPIED,  
HARRY B. CILLEY,  
JOHN P. CRONAN.

On motion of Mr. Cronan of Manchester it was voted that the bill with the two reports be made a Special Order for Tuesday next, at 11.03.

Mr. DeMoulpiéd of Manchester for the Special Committee consisting of the Manchester Delegation, to whom was referred House Bill No. 277, An act relating to the clerk of the Municipal Court of Manchester, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Chandler of Conway for the Committee on Fish and Game, to whom was referred House Bill No. 48, An act in amendment of Chapter 133, Laws of 1915, and

Chapter 152, Laws of 1919, with reference to fishing through the ice, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Chandler of Conway for the Committee on Fish and Game, to whom was referred House Bill No. 138, An act to prohibit fishing through the ice in the Town of Stoddard, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by adding two new sections to be numbered Section 2 and Section 3 as follows:

SECT. 2. Any person violating the provisions of this act shall be fined ten dollars.

SECT. 3. This act shall take effect March 28, 1924.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Chandler of Conway for the Committee on Fish and Game, to whom was referred House Bill No. 160, An act permitting the collection of birds, their nests and eggs, wild animals and fish for scientific purposes, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Chandler of Conway for the Committee on Fish and Game, to whom was referred House Bill No. 247, An act in amendment of Chapter 133, Laws of 1915, as amended by Chapter 184, Laws of 1917, and as amended by Chapter 153, Laws of 1919, relating to fish and game, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by inserting before "amend" in line 1, the following: "SECTION 1." Further amend Section 1 by inserting after the word "Danbury" in line 14, the word "Canterbury", so that said section as amended shall read as follows:

SECTION 1. Amend Section 14 (c) of Chapter 133, Laws of 1915, as amended by Chapter 184 of the Laws of 1917,

and as amended by Chapter 152 of the Laws of 1919, by striking out the whole thereof and inserting the following so that said paragraph shall read:

(c) Wild deer shall not be taken with the aid of, or by the use of a dog, jack, artificial light, trap, snare, or salt lick; nor shall wild deer be taken by the use of any firearm other than a shotgun loaded with a single ball, or loose buckshot within the counties of Hillsborough, Rockingham, Belknap or Merrimack, with the following exceptions: The towns of Windsor, Hillsborough, Bennington, Deering, Francestown, Weare, Antrim, Hancock, Greenfield, New Boston, Lyndeborough, Temple, Sharon, New Ipswich, Greenville, Mason and Peterborough in the county of Hillsborough; the towns of Andover, Wilmot, Danbury, Canterbury, Hill, New London, Sutton, Bradford, Warner, Salisbury, Newbury, Webster, Allenstown, Loudon, Pittsfield, Epsom, Boscawen, Hopkinton, Dunbarton, Bow, Northfield and Henniker in the county of Merrimack; and the towns of Sanbornton, Alton, Gilmanton, Barnstead, Meredith, Center Harbor and New Hampton, in the county of Belknap; and the towns of Candia, Auburn, Deerfield, Northwood, Nottingham, Raymond, Epping, Sandown, and Fremont in the county of Rockingham.

Further amend by adding the following section:

"SECT. 2. This act shall take effect upon its passage."

The report was accepted and the amendment adopted.

Mr. Hickey of Wilton presented the following amendment, which was adopted.

Further amend Section 1 by inserting after the word "Mason" in line 13, the word "Wilton."

The bill was ordered to a third reading.

Mr. Davis of Stoddard for the Committee on Claims, to whom was referred House Joint Resolution No. 24, Joint resolution in favor of George I. Philbrick, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

On motion of Mr. Fleming of Manchester, it was voted

that the resolution be recommitted to the Committee on Claims.

Mr. Chandler of Conway for the Committee on Fish and Game, to whom was referred House Bill No. 290, An act in amendment of Section 23, Chapter 133, Laws of 1915, and Section 20, Chapter 133, Laws of 1915, in relation to pheasants, reported the same with the recommendation that the bill ought to pass.

Read a second time. On motion of Mr. Martin of Concord the bill was laid upon the table.

Mr. Chandler of Conway, for the Committee on Fish and Game, reported the following entitled Bill, House Bill No. 299, An act relating to Antwerp or Homing pigeons, with the recommendation that the bill be recommitted to the Committee on Fish and Game.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a first and second time by title, tabled to be printed, and referred to Committee on Fish and Game.

Mr. Chandler of Conway, for the Committee on Fish and Game, reported the following entitled Bill, House Bill No. 300, An act in amendment of Section 47, Chapter 133, Laws of 1915, relating to fish and game, with the recommendation that the bill be recommitted to the Committee on Fish and Game.

Read a first and second time, tabled to be printed, and referred to Committee on Fish and Game.

Mr. Chandler of Conway, for the Committee on Fish and Game, reported the following entitled Bill, House Bill No. 301, An act to authorize permits to kill injurious birds and animals, with the recommendation that the bill be printed and recommitted to the Committee on Fish and Game.

Read a first and second time, tabled to be printed, and referred to Committee on Fish and Game.

Mr. Hutchins of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 72, An act relating to the powers and duties of the State Tax Commission, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Smith of Peterborough, for the Committee on Judiciary, to whom was referred House Bill No. 146, An act in amendment to Section 8, Chapter 190, of the Laws of 1911, relating to the office of Attorney General, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Cronin of Portsmouth, for the Committee on Judiciary, to whom was referred House Bill No. 203, An act to amend Section 6, Chapter 55, Laws of 1919, as amended by Chapter 120, Laws of 1921, relating to Auto Permit Law, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Eaton of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 212, An act in relation to Jurors, being in amendment of Chapter 209 of the Public Statutes as amended by Chapter 144 of the Laws of 1921, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hutchins of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 223, An act to join Thanksgiving Day and Armistice Day as a legal holiday, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Davison of Haverhill, for the Committee on Judiciary, to whom was referred House Bill No. 75, An act relating to deceptive or misleading advertisements, publications or statements, reported the same with the following

amendment with the recommendation that the bill as amended ought to pass.

Amend Section 1, of said bill, by striking out the words "of not less than ten nor more than" and inserting in place thereof the words "not exceeding", so that said section as amended will read as follows:

SECTION 1. Any person who, with intent to sell or in any way dispose of merchandise, securities, service or anything offered by such person, directly or indirectly, to the public for sale or distribution, or who, with intent to increase the consumption of or demand for such merchandise, securities, service or other thing, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, makes, publishes, disseminates, circulates or places before the public, or causes, directly or indirectly, to be made, published, disseminated, circulated or placed before the public within the state, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, bill circular, pamphlet or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service or anything so offered to the public, which advertisement contains any assertion, representation or statement of fact which is untrue, deceptive or misleading, and which such person knew or might on reasonable investigation have ascertained to be untrue, deceptive or misleading, shall be punished by a fine not exceeding five hundred dollars, provided, that this section shall not apply to any owner, publisher, printer, agent or employee of a newspaper or other publication, periodical or circular, or to any agent of the advertiser who in good faith and without knowledge of the falsity or deceptive character thereof publishes, causes to be published, or participates in the publication of such advertisement.

Amend Section 2 by striking out the word "five" therein and inserting in place thereof the word "one", and by striking out the words "ten years" therein and inserting in place thereof the words "one year", so that said section as amended will read as follows:

SECT. 2. Whoever wilfully and with intent to defraud makes or publishes, or causes or permits to be made or published in any way whatever, any book, prospectus, notice, report, statement, exhibit, advertisement or other publication of or concerning the affairs, financial condition, property or assets of any corporation, joint stock association, partnership or individual, which said book, prospectus, notice, report, statement, exhibit, advertisement or other publication contains any statement which is false or wilfully exaggerated and which shall have a tendency to give a less or greater apparent value to the shares, bonds, property or assets of such corporation, joint stock association, partnership or individual, or any part of said shares, bonds, property or assets, than said shares, bonds, property or assets or any part thereof shall really and in fact possess, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Barry of Nashua for the Committee on Judiciary to whom was referred House Bill No. 10, An act authorizing the School District of Gorham to incur a limited amount of indebtedness to acquire land and construct, equip and furnish a high school building thereon, reported the same in new draft with the recommendation that the bill ought to pass in new draft.

Read a first and second time. On motion of Mr. Lyford of Concord the printing was dispensed with, and the bill ordered to a third reading.

Mr. Cronin of Portsmouth for the Committee on Judiciary, reported the following entitled bill, House Bill 303, An act in amendment of Chapter 212, of the Laws of 1905, relating to the Charter of the City of Portsmouth, and in amendment of other acts and amendments relating thereto, with the recommendation that the bill be referred to the Delegation from Portsmouth.

On motion of Mr. Lyford of Concord the rules were suspended, the bill read a first and second time by title,

tabled to be printed, and referred to a Special Committee consisting of the Delegation from Portsmouth.

Mr. Davison of Haverhill, for the Committee on Judiciary, reported the following entitled bill, House Bill No. 304, An act to legalize the issue of serial notes and bonds of the County of Grafton, with the recommendation that the bill be printed and recommitted to the Committee on Judiciary.

On motion of Mr. Lyford of Concord, the rules were suspended, the bill was read a first and second time by title, tabled to be printed, and referred to Committee on Judiciary.

#### PERSONAL PRIVILEGE.

Mr. Stevens of Landaff rose to a question of personal privilege, with reference to certain false and misleading statements in the editorial in the Manchester Union of this date as to his position on the taxation problem.

#### COMMITTEE REPORTS.

Mr. Butler of Hillsborough, for the Committee on Banks, to whom was referred House Bill No. 294, An act in amendment of Chapter 109, Session Laws of 1915, entitled "An act to provide for the incorporation and management of trust companies and similar corporations," reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Walker of New Ipswich, for the Committee on Incorporations, to whom was referred House Bill No. 258, An act To Incorporate the Monadnock Club of Troy, New Hampshire, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Yantis of Manchester, for the Committee on Public Health, to whom was referred House Joint Resolution No. 36, Joint resolution for the treatment of persons afflicted with tuberculosis, particularly in the advanced stages,



reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Quinn of Manchester, for the Committee on Revision of Statutes, to whom was referred House Bill No. 27, An act relating to the registration of motor vehicles, reported the same in new draft with the recommendation that the bill in its new draft ought to pass.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a first and second time by title, tabled to be printed, and taken up in its regular order.

Mr. Cobleigh of Nashua, for the Committee on Revision of Statutes, to whom was referred House Bill No. 85, An act to regulate the use of the waters in Silver Lake in Madison, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by striking out all of Section 3, and further amend by renumbering Section 4 and Section 5, so that they will read Section 3 and Section 4.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Gilchrist of Henniker, for the Committee on Public Improvements, to whom was referred House Bill No. 80, An act to establish a continuous highway from the junction of the Hudson-Derry Road in the Town of Hudson to the Massachusetts line at Tyngsboro, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Gilchrist of Henniker, for the Committee on Public Improvements, to whom was referred House Bill No. 167, An act to provide safety exit facilities for schoolhouses, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Gilchrist of Henniker, for the Committee on Public Improvements, to whom was referred House Bill No. 283, An act in amendment of Chapter 224 of the Session Laws of 1917 entitled, "An act to establish an additional system of cross-state highways," reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 1 by inserting in line 12, after the word "Milford" the words "and continuing through Brookline to the Massachusetts line at Townsend," so that said section as amended shall read as follows:

SECTION 1. That Section 1, Chapter 224 of the Laws of 1917 be amended by adding thereto, the following: 7. From Newton Village to Newton Junction, through Highland Street; so that said section shall read as follows:

SECTION 1. The highway commissioner may designate for improvement by suitable description, subject to the approval of the governor and council, whenever in his opinion the public good so requires, a system of continuous highways which shall include the following in whole or in part and file the same with the Secretary of State: 1. From a point on the Merrimack Valley road in Manchester to a point on the South Side road in Milford and continuing through Brookline to the Massachusetts line at Townsend and may be known as the Manchester-Milford road. 2. From the highway designated in the system Claremont to Rochester or Dover in act of 1915, Chapter 93, in the town of Northwood to the town house corner in town of Durham. 3. From Dover to East Kingston through Newmarket and Exeter; to be known as the New Hampshire College road. 4. From Franklin square in city of Dover through Rollinsford to the Maine state line. From a point on the East Side road at Hampton Village to the South Side road at Portsmouth avenue in Exeter. Said highway may be known as the Exeter-Hampton road. 6. From Laconia to Concord via Belmont either by the so-called Shaker road, or by the so-called Hollow Route road as the highway commissioner, by and with the consent of the governor and

council shall determine. 7. From Newton Village to Newton Junction, through Highland Street.

The report was accepted, the amendment adopted and the bill referred to the Committee on Appropriations under the rules.

Mr. Gilchrist of Henniker, for the Committee on Public Improvements, to whom was referred House Bill No. 278, An act in regard to the construction and maintenance of the Daniel Webster Highway in the town of Lincoln, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

#### SENATE AMENDMENT CONSIDERED.

On motion of Mr. Lyford of Concord, the House voted to concur with the Senate in the adoption of the amendment adopted by the Senate to House Bill No. 25, An act amending Section 2 of Chapter 189 of the Laws of 1917 relating to deposits in Banks in other states.

The bill was sent to the Secretary of State to be engrossed.

On motion of Mr. Lyford of Concord, the rules were suspended and business in order for three o'clock made in order at this time.

#### THIRD READINGS.

House Bill No. 237, An act enlarging the powers of the Public Service Commission to authorize the discontinuance of steam railways in certain cases.

On motion of Mr. Ordway of Milford, the bill was put back upon its second reading and recommitted to the Committee on Judiciary.

The following bills were severally read a third time, passed and ordered to the Senate for concurrence:

House Bill No. 250, An act to legalize the biennial election held on the 7th day of November, 1922, in the Town of Alton.

House Bill No. 107 (In New Draft), An act relating to the sale of farm produce.

House Bill No. 204, An act in amendment of Section 1 of Chapter 96 of the Session Laws of 1901 entitled: "An act relating to High Schools," as amended by Chapter 118 of the Session Laws of 1903, as amended by Chapter 16, Laws of 1917.

On motion of Mr. Winant of Concord, it was voted that when the House adjourns today it be until tomorrow at 9.30, and that it then adjourn until Monday at 7.30.

On motion of Mr. Cox of Manchester, at 1.20 the House adjourned out of respect to the memory of George Washington.

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FRIDAY, FEBRUARY 23, 1923.

The House met at 9.30.

On motion of Mr. Phillips of Concord at 9.31 the House adjourned.

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MONDAY, FEBRUARY 26, 1923.

The House met at 7.30 o'clock.

The following communication was read:

CONCORD, N. H., February 25, 1923.

HON. NATHANIEL E. MARTIN,

CONCORD, N. H.

*Dear Sir:*

I will be unable to attend the evening session on Monday. Will you, in my absence, be so good as to preside?

Yours very truly,

WILLIAM J. AHERN.

Mr. Martin of Concord in the chair.

On motion of Mr. Phillips of Concord at 7.31 the House adjourned.

TUESDAY, FEBRUARY 27, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

The Honorable Secretary of State presented the following message from His Excellency, the Governor:

HONORABLE WILLIAM J. AHERN, *Speaker*,  
HOUSE OF REPRESENTATIVES,  
CONCORD, N. H.

*My dear Sir:*

Enclosed herewith you will find report of the Divorce Commission appointed by former Governor Albert O. Brown, which Commission was instructed to report to the Legislature of 1923. The Chairman, Joseph Madden of Keene, deceased before said report was prepared, but all other members appear to have signed.

Very truly yours,

FRED H. BROWN,  
*Governor.*

The report of the Commission is as follows:

#### REPORT OF THE DIVORCE COMMISSION.

Early in 1922 Governor Albert O. Brown, in response to a resolution passed by the legislature of 1921, appointed a commission of ten members to examine the law relating to divorces in New Hampshire, to report what changes might be deemed desirable and to report their findings and suggestions to the legislature of 1923. The Commission decided to hold all of their meetings in Concord as the most accessible city for their hearings.

Every effort was made to ascertain the attitude of the general public upon this most important and disturbing social problem. Invitations were sent to individuals known to be deeply interested in any possible solution, remedial legislation, or other helpful treatment of what has come to be recognized as a most distressing factor in American life.

Questionnaires were sent out in large numbers, the press gave much space to the activities of the commission, letters were requested bearing upon the various phases of divorce, its effect upon the morals of the community, and upon the children of tender years, innocent victims of broken homes.

In spite of the wide publicity given to the purposes of the commission the response in point of numbers was most depressing, and it must be confessed that a general lack of interest was plainly manifested, at least so far as the commission were able to judge from the few persons who appeared before them.

Arguments were presented urging that marriage be made more difficult as a possible aid toward reducing frequency of divorces. Upon this point, however, the commission have no suggestions to offer in their report. From the data presented at the several hearings no great assistance was afforded in arriving at a solution of a situation apparently not wholly curable, but which it is to be hoped can be alleviated. At the outset, the commission strongly deprecate the hostile, unjust and extravagant criticism which has been directed against what has been termed the laxity of divorce laws in New Hampshire. While it is true that there are fourteen causes listed for divorce in the public statutes of our State, a most cursory examination discloses that many of them are repetitions, and several possess no vitality whatever. Indeed, it is doubtful if a case has ever been entered in our courts based upon some of the grounds for which divorce proceedings may be brought. It is only fair to the reputation of the State, and its citizens to refute these charges as not well founded. It cannot be gainsaid that divorces have increased greatly within the past few years, but this regrettable feature of modern life is not peculiar to New Hampshire. Our present laws require either personal service upon the libelee, or in lieu thereof, that every reasonable effort be made to bring notice to the defendant by publication designed to acquaint relatives or friends of the libelee. To this end the judges of our trial courts are mak-

ing more stringent rules governing procedure as the necessity presents itself, thus safeguarding the rights of the libelee in every degree possible.

It can be said in truth, which every legal member of this commission will verify, that no divorces are granted by our courts except upon the most convincing evidence, which must measure up to the requirements of our statutes.

The commission might extend this report indefinitely, and furnish to your honorable body a wealth of statistics and information germane to the problem under discussion, but such research would have necessitated the assistance of skilled statisticians, and involved a financial outlay not within the power of its members. While an exhaustive report of this nature might have stood as a monument to their industry, it would have served no useful purpose. The evil exists, and hosts of arguments and figures will not supply a panacea. Upon careful consideration of the matter submitted to our attention, the commission recommend that in place of the several causes for divorce now to be found in our statutes, the following be substituted:

SEC. 5. A divorce from the bonds of matrimony shall be decreed in favor of the innocent party for either of the following reasons:

1. Impotency of either party.
2. Adultery of either party.
3. Extreme cruelty, or treatment of either party to the other as seriously to injure health or endanger reason.
4. When either party is an habitual drunkard and has been such for three years together.
5. Conviction of either party of crime punishable in this State with imprisonment for more than a year and actual imprisonment under such conviction.
6. When either party without sufficient cause and without the consent of the other, has abandoned and refused to cohabit with the other, or when the husband has willingly absented himself from the wife

for three years together without making suitable provision for her support and maintenance, or the wife has willingly absented herself from the husband without his consent for three years.

It is also recommended that in every instance where a libel for divorce is filed in court that the action shall not be heard until the term following the term at which said action is returnable. The commission further recommend that after a hearing has been had upon a libel, if a case has been established calling for a decree of divorce, the marking shall be "decree nisi" not to become absolute until six months shall have elapsed, with a further recommendation that if the exigencies of a particular case require it, the superior court shall be empowered to limit the time within which a decree absolute shall be entered, at its discretion.

MRS. LOIS LYMAN PATTEN,  
HENRI A. BURQUE,      *Secretary.*  
MARTHA H. FRENCH,  
GEORGE F. RICH,  
ALVIN F. WENTWORTH,  
OMAR A. TOWNE,  
HENRY N. HURD,  
ORRIN M. JAMES,  
GEORGE A. WAGNER.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 15, An act in amendment of Chapter 186 of the Public Statutes relating to Wills.

Amend Section 1 of the bill by striking out the word "his" in the seventh line and inserting in place thereof the word "their".



Further amend said Section by striking out the words "he" and "his" in the eighth line of said section and inserting in place thereof the words "they" and "their", so that said section as amended shall read as follows:

SECTION 1. Amend Section 1 of Chapter 186 of the Public Statutes by inserting after the words "every person of the age of twenty-one years" the words "and married persons under that age," so that said section when amended shall read as follows: SECT. 1. Every person of the age of twenty-one years and married persons under that age, of sane mind, may devise and dispose of their property, real and personal, and of any right or interest they may have in any property by their last will in writing. "Every person" shall be construed to include a married woman.

House Bill No. 59, An act to amend an act to establish a Corporation by the Name of the Trustees of the New Hampshire Conference Seminary and the New Hampshire Female College, approved December 29, 1852, and other acts amending the same.

Amend Section 1 of the bill by striking out the words "Chapter 1372 of the Laws of" in the first line and inserting in place thereof the words "an act approved December 29."

Further amend the said section by striking out the words "Chapter 2289 of the Laws of" in the fourth and fifth lines and inserting in place thereof the words "an act approved June 23"; so that said section as amended shall read as follows:

SECTION 1. Amend Section 1 of an act approved December 29, 1852, entitled an act to establish a corporation by the name of the New Hampshire Conference Seminary and the New Hampshire Female College as amended by an act approved June 23, 1859 and Chapter 198 of the Laws of 1903, so that the name of the corporation shall be Tilton School.

The message further announced that the Senate has passed the following bills, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 14, An act to amend Section 21 of Chapter

287 of the Public Statutes, as amended by Section 1 of Chapter 78, Laws of 1907 and Section 1 of Chapter 136, Laws of 1919, relating to Pay of Jurors.

Senate Bill No. 18, An act to change the name of Nelson Aldrich Edgell to that of Stephen Maurice Edgell.

Senate Bill No. 23, An act to authorize the Governor to accept gifts of personal property to the State.

The message further announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and sent up from the House of Representatives:

House Bill No. 21, An act concerning the Transfer of Bodies from one Town to another.

House Bill No. 36, An act in amendment of Section 40 of the Business Corporation Law.

House Bill No. 37 (New Draft), An act in amendment of Section 1 of the Business Corporation Law.

House Bill No. 39, An act relating to the Issue of Bonds by the Union School District No. 2 of the Town of Bristol.

House Bill No. 62, An act to amend the Charter of the Nashua Protestant Home for Aged Women.

House Bill No. 69, An act to enable the Town of Newport, New Hampshire, to refund its indebtedness.

House Bill No. 84, An act authorizing the Town of Claremont to Renew and Extend its Water Bonds.

House Bill No. 110, An act in amendment of Chapter 148 of the Laws of 1915, entitled: "An act relating to Actions for Personal Injuries."

House Bill No. 227, An act authorizing the Lancaster Fire Precinct to pay certain moneys to Union School District No. One in the Town of Lancaster.

House Bill No. 236, An act to Create a State Pier Commission.

House Bill No. 292, An act to amend the Charter of the Gordon-Nash Library in New Hampton.

The message further announced that the Senate refuses to concur with the House of Representatives in the passage of the following bill sent up from the House of Representatives:

House Bill No. 175, An act relating to the purchase of legislative supplies.

PETITIONS.

The following petitions were introduced and referred to the Committee on Revision of Statutes:

By Mr. Spaulding of Hudson, Petition of citizens of Hudson against change in Sunday laws.

By Mr. Steward of Northwood, Petition of citizens of Northwood against change in Sunday laws.

By Mr. Webb of Dover, Petition of citizens of Dover against change in Sunday laws.

By Mr. Rossiter of Claremont, Petition of Citizens of Claremont against change in Sunday laws.

By Mr. Davis of Goffstown, Petition of Congregation-alist Church and other citizens, against change in Sunday laws.

By Mr. Davis of Goffstown, Petition of Methodist Church and other citizens of Goffstown, against change in Sunday laws.

By Mr. McHugh of Gorham, Petition of citizens of Gorham against change in Sunday laws.

By Mr. Kendall of Concord, Petition of Congregational Society of Hinsdale, against change in Sunday laws.

By Mr. Newton of Concord, Petition of citizens of Concord against change in Sunday laws.

By Mr. Lovejoy of Milford, Petition of Baptist Men's Class of Milford, against change in Sunday laws.

By Mr. Kendall of Concord, Petition of W. C. T. U. of Laconia, against change in Sunday laws.

LEAVES OF ABSENCE.

Mr. McIntire of Lancaster was granted leave of absence for the week on account of illness in the family.

Mr. McNulty of Manchester was granted leave of absence for the day on account of illness.

Messrs. Weston of Hancock, Johnson of Manchester, Aiken of Franklin, Rollins of Andover, Converse of Lyme,

Labrie of Berlin, Scruton of Portsmouth, were granted leave of absence for the week on account of illness.

On motion of Mr. Fernald of Dover, it was voted that the clerk be instructed to procure 500 extra copies of House Bill No. 226.

#### COMMITTEE REPORTS.

Mr. Colby of Plainfield, for the Committee, reported that the Committee on Engrossed Bills have examined and found correctly engrossed the following entitled bills and Joint resolution:

House Bill No. 16, An act authorizing the Rockingham County Light & Power Company to issue preferred stock and for other purposes.

House Bill No. 25, An act amending Section 2 of Chapter 189 of the Laws of 1917 relating to taxation of deposits in banks in other states.

House Bill No. 38, An act to authorize licensing public utilities to exercise rights on public lands.

House Bill No. 44, An act to authorize the discontinuance of state highways.

House Bill No. 81, An act authorizing the Town of Rumney to raise money by taxation for the care of cemeteries.

House Bill No. 98 (In New Draft and Title), An act to legalize certain acts of the Town of Littleton, and to authorize the issue of town bonds.

House Bill No. 286, An act to exempt from taxation property in Sutton held for public use by the North Sutton Improvement Society.

House Bill No. 287, An act to amend the charter of Keene Academy.

House Joint Resolution No. 8, Joint resolution in favor of changing the name of the highway known as "West Side road" to the Dartmouth College road.

The report was accepted.

Mr. Smith of Peterborough, for the Committee on Judiciary, to whom was referred House Bill No. 155, An act in amendment of Section 5 of Chapter 129 of the Laws of

1917, relating to municipal indebtedness, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Smith of Peterborough, for the Committee on Judiciary, to whom was referred House Bill No. 171, An act in amendment of Chapter 175, Division 3, Section 111, relating to the Jurisdiction of the Courts in divorce proceedings, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Barry of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 113, An act relative to the official bond of the treasurer of Hillsborough County, reported the same with the recommendation that the bill be referred to Hillsborough County Delegation.

The report was accepted and the bill referred to a Special Committee of the members from Hillsborough County.

Mr. Barry of Nashua for the Committee on Judiciary, reported the following entitled Bill, House Bill No. 305, An act to authorize the County of Hillsborough to issue bonds, with the recommendation that the bill be printed and re-committed to the Committee on Judiciary.

On motion of Mr. Callahan of Keene the rules were suspended, the bill read a first and second time by title, tabled to be printed, and referred to the Committee on Judiciary.

Mr. Lyford of Concord for the Committee on Judiciary, reported the following entitled Bill, House Bill No. 306, An act enabling the Town of Ossipee to exempt from taxation certain property in that town to be used for hotel purposes, with the recommendation that the bill ought to pass.

Read a first and second time, tabled to be printed, and referred to the Committee on Ways and Means, on motion of Mr. Stevens of Landaff.

Mr. Stevens of Landaff for the Committee on Ways and Means, to whom was referred House Bill No. 4, An act re-

pealing Section 11 of Chapter 55 of the Public Statutes, relating to the exemption from taxation of manufacturing establishments, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

#### PERSONAL PRIVILEGE.

Mr. Stevens of Landaff arose to a question of personal privilege, in relation to editorial and statements recently made in the *Manchester Union*.

Mr. Bass of Peterborough also spoke on a question of personal privilege.

Mr. Lyford of Concord also spoke on a question of personal privilege, and later presented the following resolution:

*Whereas*, The *Manchester Union* in an editorial of its issue of February 22nd asserts:

“There is only one form of taxation that these men want, which the ‘limited’ amendment would not give them. What they want is a tax on income, from whatever source derived. Chairman Stevens and the proponents of the amendment frankly say that they believe income from salaries and income from wages and all kinds of income should be taxed by the State, in addition to the income tax already levied on these incomes by the federal government.”

*Be it, therefore, Resolved*, That the Ways and Means Committee be requested to report by resolution, or otherwise, the plans of taxation the Committee will recommend to the House in event of the adoption by the people of the amendment to the Constitution submitted by the Constitutional Convention, and declaring whether the statements in said editorial represent the views of the Committee, that the House may approve or disapprove of the plan of taxation of the Ways and Means Committee.

The resolution was unanimously adopted.

#### PERSONAL PRIVILEGE.

Mr. Murdock of Hill spoke on a question of personal privilege.

## BILL TAKEN FROM THE TABLE.

House Bill No. 73, An act in amendment of Section 13 of Chapter 191 of the Public Statutes, relating to suits by and against administrators, was taken from the table and ordered to a third reading.

## SENATE BILLS INTRODUCED.

On motion of Mr. Kenney of Manchester, it was voted that the first reading of the Senate Bills be by title.

The following Senate Bills were read a first and second time by title, and referred as follows:

Senate Bill No. 14, An act to amend Section 21 of Chapter 287 of the Public Statutes, as amended by Section 1 of Chapter 78, Laws of 1907 and Section 1 of Chapter 136, Laws of 1919, relating to pay of jurors.

To the Committee on Judiciary:

Senate Bill No. 18, An act to change the name of Nelson Aldrich Edgell to that of Stephen Maurice Edgell.

To the Committee on Revision of Statutes:

Senate Bill No. 23, An act to authorize the Governor to accept gifts of personal property to the State.

To the Committee on Revision of Statutes:

## AMENDMENTS CONCURRED WITH.

On motion of Mr. Wright of Sanbornton, the House voted to adopt the amendment to House Bill No. 15, An act in amendment of Chapter 186 of the Public Statutes, relating to wills, recommended by the Committee on Engrossed Bills and adopted by the Honorable Senate.

On motion of Mr. Lyford of Concord, the House voted to adopt the amendment to House Bill No. 59, An act to amend an act to establish a corporation by the name of the trustees of the New Hampshire Conference Seminary and the New Hampshire Female College, approved December 29, 1852, and other acts amending the same, recommended by the Committee on Engrossed Bills and adopted by the Honorable Senate. The bills were then sent to the Secretary of State to be engrossed.

## SPECIAL ORDER.

Mr. Wheeler of Nashua, called for the Special Order for 11.01, it being the resolution of the Committee on Judiciary, Inexpedient to legislate, on House Bill No. 35, An act in amendment of Chapter 121, Section 1, Laws of 1919, relating to the fiduciary powers of banks and trust companies.

On motion of Mr. Wheeler of Nashua, it was voted that the bill be recommitted to the Committee on Judiciary for further hearing.

Mr. Cox of Manchester, called for the Special Order for 11.02, it being House Bill No. 115, An act to provide that the tax assessors of the City of Manchester shall be elected by direct vote of the citizens, with the majority and minority reports thereon, as follows:

Mr. Blais of Manchester for the Special Committee consisting of the Manchester Delegation, to whom was referred House Bill No. 115, An act to provide that the tax assessors of the City of Manchester shall be elected by direct vote of the citizens, reported the same with the recommendation that the bill ought to pass.

A minority of the Special Committee consisting of the Delegation from Manchester, to whom was referred House Bill No. 115, An act to provide that the tax assessors of the City of Manchester shall be elected by direct vote of the citizens, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

JOHN P. CRONAN,  
A. W. DEMOULPIED,  
EFFIE E. YANTIS,  
ISAAC N. COX,  
OSCAR F. BARTLETT,  
HARRY B. CILLEY,  
HARRY T. LORD.

Mr. Cox of Manchester, moved that the Minority report, Inexpedient to legislate, be substituted for that of the Majority, Ought to pass.

(Discussion ensued.)



Mr. Donnelly of Manchester, moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being: Shall the report of the minority be substituted for that of the majority?, Mr. Cronan of Manchester called for the yeas and nays.

The roll was called with the following result:

#### NAYS, 198.

ROCKINGHAM COUNTY.—Tenney of Chester, White, MacMurphy, Senecal, Taylor, Kent, Pridham, Labranche, Steward, Caldwell, Dowdell, Weeks of Portsmouth, Trafton, Casey, Cronin, Cox of Portsmouth, Kane, Rand, Coles, Dow of Windham.

STRAFFORD COUNTY.—Locke Durkin, Howard of Dover, O'Neill, Jr., Jenelle, Roberts of Dover, Ryan, Durnin, Lawrence, Gotts, Gelinas, Lowe, Davis of Rollinsford, Girard, Cote, Gagne, Hanagan, Houle of Somersworth, Heon.

BELKNAP COUNTY.—Holmes, Sanborn of Center Harbor, Goodwin, Kempton, Normandin, Jewett, French, Roberts of Meredith, Sanborn of Tilton, Smith of Tilton.

CARROLL COUNTY.—Currier of Conway, Chandler, Philbrick, Fall, Thomas, Lord of Wakefield, Hale.

MERRIMACK COUNTY.—Desroche, Sanborn of Bradford, Tallman, Rolfe, Phillips, Newton of Concord, Martin of Concord, Roby, Carleton of Concord, King of Concord, Lee, Gannon, Mahan, Judkins, Newton of Franklin, Gilchrist, LaSalle, Cutting, Bellerose, Martin of Pembroke, Cheney of Pittsfield, Jackson, Sanborn of Salisbury, Seavey.

HILLSBOROUGH COUNTY.—Ford, Hoyt of Francestown, Hartford, Moquin, Murphy of Ward 3, Manchester, Nyberg, Burns of Manchester, Grant, Fitzgerald, Clancy, Connor, Coyne, Creighton, Fleming, Kelley of Ward 5, Manchester, Kenney, Laughlin, Tobin, Barry of Manchester, Burke, Currier of Manchester, Murphy of Ward 6, Manchester, Sibley, Smith of Manchester, Carr, Foye, Godbout, Healey, Jr., Quinn, Sullivan of Manchester, Bouchard,

Chevrette, Donnelly, Leonard, McLaughlin, Morin, Conboy, McBride, Riley, Rourke, Getz, Ploss, Blais of Manchester, Craig, Gowitzke, McDonnell, Roukey, Gauthier of Ward 12, Manchester, Lamy, Maynard, Pecor, St. Germain, Dionne, Duval, Gagnon, Gauthier of Ward 13, Manchester, Remillard, Boilard, Dube, Trombly, Spillane, Sullivan of Ward 4, Nashua, Sullivan of Ward 5, Nashua, Burns of Nashua, Cotton of Nashua, Doyle, Lyons, Barry of Nashua, Hallisey, Rigney, Sylvestre, Bilodeau, Girouard, Papachristos, Pelletier, Hickey.

CHESHIRE COUNTY.—Bemis, Duncan, Spring, Hogan, Landers, Ball, McGinness, Wells of Walpole, Burt, Kellom.

SULLIVAN COUNTY.—Barry of Charlestown, Pierce of Claremont, Rossiter, Franklyn, Thornton, Bluitte, Colby, Osborne.

GRAFTON COUNTY.—Hardy of Ashland, Parker, Pulsifer of Campton, Webster, Ashley, Chellis, Lang, Page, Stevens of Landaff, Eastman of Lebanon, Howard of Lebanon, McNamara, Mooney, Nourse, Elms, Fadden.

COOS COUNTY.—Keleher, Young of Colebrook, Sims, Ferren, Mortensen, Nay, Nutting, Hutchins of Stratford.

#### YEAS, 68.

ROCKINGHAM COUNTY.—Pike, McDuffee of Candia, Dow of North Hampton, Wood of Portsmouth.

STRAFFORD COUNTY.—Cloutman, Reynolds, Fernald, Webb, Fogg, Meader, Preston.

BELKNAP COUNTY.—Weeks of Gilford, Avery, Badger.

CARROLL COUNTY.—Hamlin, Willey, Ela, Chick.

MERRIMACK COUNTY.—Cheney of Concord, Lyford, Murdock, Carter.

HILLSBOROUGH COUNTY.—Flint, Clark of Bedford, Balch, Davis of Goffstown, Butler, Childs, Hardy of Hollis, Spaulding of Hudson, Cilley, Cronan, Dodge of Manchester, Bartlett of Manchester, Cox of Manchester, DeMoulpied, Lord of Manchester, Yantis, Gordon of Merrimack, Lovejoy, Ordway, Robinson of Milford, Wheeler of Nashua, Winslow.

CHESHIRE COUNTY.—Garfield, Callahan, Firmin, Dewing, Barrett of Keene, Empey, Gates, King of Keene, Sawtelle, King of Walpole.

SULLIVAN COUNTY.—Nichols, Wolcott.

GRAFTON COUNTY.—Southard, Bridgman, Davison, Pulsifer of Holderness, Ross, Stanley, Hallett, Harris, Chase, Cotton of Warren.

COOS COUNTY.—Moore, Snow.

Mr. Garneau of Franklin, voting no, was paired with Mr. Cobleigh of Nashua, voting yes.

The report of the majority having been adopted, Mr. Craig of Manchester proposed the following amendment: Amend said bill by inserting a new Section 6 and renumbering Section 6 to be Section 7.

SECT. 6. The salaries of the Board of Assessors shall be fixed by the Board of Mayor and Aldermen.

The amendment was adopted and the bill ordered to a third reading.

On motion of Mr. Craig of Manchester it was voted that the rules be suspended and the bill be now put upon its third reading and passage.

On motion of Mr. Cox of Manchester it was voted that the third reading be by title.

The bill was then read a third time by title, passed, and ordered to the Senate for concurrence.

On motion of Mr. Martin of Concord the House took a recess of one hour and twenty minutes.

(After recess.)

#### SPECIAL ORDER.

Mr. Cox of Manchester called for the third Special Order, it being House Bill No. 118, An act in relation to the Finance Commission for the City of Manchester, with the following majority and minority reports:

Mr. Blais of Manchester for the Special Committee consisting of the Manchester Delegation, to whom was referred House Bill No. 118, An act in relation to the Finance Com-

mission for the City of Manchester, reported the same with the recommendation that the bill ought to pass.

A minority of the Special Committee consisting of the Delegation from Manchester, to whom was referred House Bill No. 118, An act in relation to the finance commission for the city of Manchester, and being unable to agree with the Majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

HARRY T. LORD,  
ISAAC N. COX,  
OSCAR F. BARTLETT,  
EFFIE E. YANTIS,  
JAMES E. DODGE,  
ARTHUR W. DEMOULPIED,  
HARRY B. CILLEY,  
JOHN P. CRONAN.

Mr. Cox of Manchester moved that the report of the minority be substituted for that of the majority.

A *viva voce* vote was against the motion, and the report of the majority was adopted.

On motion of Mr. Kenney of Manchester the rules were suspended, and the bill put upon its third reading by title, and passage at this time.

The bill was read a third time by title, passed, and ordered to the Senate for concurrence.

On motion of Mr. Lyford of Concord at 2.59 the House adjourned from the morning session.

#### AFTERNOON.

The House met at 3 o'clock.

#### THIRD READINGS.

House Bill No. 10, An act authorizing the School District of Gorham to incur a limited amount of indebtedness to acquire land and construct, equip and furnish a high school building thereon.

On motion of Mr. Lyford of Concord, the rules were suspended, the bill read a third time by title, passed and ordered to the Senate for concurrence.

House Bill No. 57, An act in amendment of Section 1, Chapter 143, Laws of 1913, as amended by Section 1, Chapter 14, Laws of 1915, relating to the control of self-hunting dogs.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a third time by title, passed, and ordered to the Senate for concurrence.

House Bill No. 138, An act to prohibit fishing through the ice in the Town of Stoddard.

Read a third time, passed, and ordered to the Senate for concurrence.

House Bill No. 160, An act permitting the collection of birds, their nests and eggs, wild animals and fish for scientific purposes.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a third time by title, passed, and ordered to the Senate for concurrence.

Mr. Martin of Concord asked leave for the Committee on Judiciary to sit during the afternoon session. Leave was granted.

House Bill No. 247, An act in amendment of Chapter 133, Laws of 1915, as amended by Chapter 184, Laws of 1917, and as amended by Chapter 153, Laws of 1919, relating to fish and game.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a third time by title, passed, and ordered to the Senate for concurrence.

House Bill No. 75, An act relating to deceptive or misleading advertisements, publications or statements.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a third time by title, passed, and ordered to the Senate for concurrence.

House Bill No. 294, An act in amendment of Chapter 109, Session Laws of 1915, entitled "An act to provide for the

incorporation and management of trust companies and similar corporations."

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a third time by title, passed, and ordered to the Senate for concurrence.

House Bill No. 258, An act to incorporate the Monadnock Club of Troy, New Hampshire.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a third time by title, passed, and ordered to the Senate for concurrence.

House Bill No. 85, An act to regulate the use of the waters in Silver Lake in Madison.

On motion of Mr. Chick of Madison, the rules were suspended, the bill read a third time by title, passed, and ordered to the Senate for concurrence.

#### BILL PUT BACK ON SECOND READING.

House Bill No. 248, An act for the protection of apple orchards.

On motion of Mr. Lord of Manchester, it was voted that the order placing the bill on its third reading be vacated and the bill referred to the Committee on Appropriations under the rules.

On motion of Mr. Cheney of Concord, at 3.40 the House adjourned.

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### WEDNESDAY, FEBRUARY 28, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

#### PETITIONS.

The following petitions were presented and referred to the Committee on Revision of Statutes:

By Mr. Kendall of Concord, Petition of the Methodist Church of Exeter, protesting against the passage of House Bills No. 33 and 34, and against any changes in the Sunday laws.

By Mr. Kendall of Concord, Petition of the Baptist Church of Holderness, protesting against the passage of House Bills No. 33 and 34, and against any changes in the Sunday laws.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the House of Representatives in the passage of the following joint resolution, sent up from the House of Representatives:

House Joint Resolution No. 47, Joint resolution appropriating money for the payment of rental in Patriot Building in Concord.

The message further announced that the Senate has passed the following entitled bill in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 16 (In New Draft), An act for the punishment of persons issuing worthless checks.

#### LEAVES OF ABSENCE.

Mr. Hopkins of Keene was granted leave of absence for the week on account of death in the family.

The Committee on Soldiers Home was granted leave of absence on Wednesday, February 28 to make an official visit to the home at Tilton.

Mr. Ploss of Manchester was granted leave of absence for the day on account of illness.

Mr. Laycock of Laconia was granted leave of absence for the week on account of illness.

Messrs. Littlefield of Newton and Lovejoy of Milford were granted leave of absence for the day on account of illness.

#### PERSONAL PRIVILEGE.

Mr. Burke of Manchester, spoke on a question of personal privilege, relative to statements made in the House the preceding day.

#### REPORTS OF COMMITTEES.

Mr. Colby of Plainfield, for the Committee reported that the Committee on Engrossed Bills have examined and

found correctly engrossed the following entitled Joint Resolution:

House Joint Resolution No. 47, Joint resolution appropriating money for payment of rental in Patriot building in Concord.

The report was accepted.

Mr. Harris of Orford, for the Committee on Education, to whom was referred House Bill No. 226, An act to repeal so much of Chapter 77, Laws of 1899, as relates to combining of several school districts in this State into supervisory unions, to repeal all items of Chapter 106, Laws of 1919, and Chapter 85, Laws of 1921, which relate to combining several school districts in this State into supervisory unions, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Reynolds of Dover for the Committee on Public Health, to whom was referred House Bill No. 284, An act to regulate bakeries and bakery products, reported the same, in new draft, with the recommendation that the bill be recommitted to the Committee on Public Health.

On motion of Mr. Callahan of Keene, the rules were suspended, the bill read a first and second time by title, tabled to be printed, and referred to the Committee on Public Health.

Mr. Eastman of Weare for the Committee on Revision of Statutes, to whom was referred House Bill No. 26, An act to control the possession, sale, and use of pistols and revolvers, reported the same with an amendment, and the recommendation that the bill as amended ought to pass.

On motion of Mr. Tobey of Temple it was voted that the bill with the proposed amendment be printed, and then taken up in regular order, and that the printing of the amendment in the Journal be dispensed with.

Mr. King of Concord for the Committee on Revision of Statutes, to whom was referred House Bill No. 86, An act amending Section 10 of Chapter 79 of the Public Statutes,



enabling towns and village districts to establish boards of sewer commissioners, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred House Bill No. 93, An act providing for the election of selectmen, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

On motion of Mr. Hoyt of Sandwich, it was voted that the report be not accepted and that the bill and report be made a Special Order for next Tuesday, at 11.01.

Mr. Lee of Concord for the Committee on Revision of Statutes, to whom was referred House Bill No. 123, An act in amendment of Chapter 37, Laws of 1895, as amended by Chapter 9, Laws of 1905, and Chapter 83, Laws of 1921, relating to the appointment of bail commissioners, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Quinn of Manchester for the Committee on Revision of Statutes, to whom was referred House Bill No. 132, An act in amendment of Section 3 of Chapter 119 of the Laws of 1921, relating to the neutral zone for registering motor vehicles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Bridgman of Hanover for the Committee on Revision of Statutes, to whom was referred House Bill No. 134, An act in amendment of Chapter 174 of Public Statutes, relating to marriages, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, reported the following entitled bill, House Bill No. 307, An act in amendment of Section 8, Chapter 218 of the Public Statutes, relating to writs and their endorsements, with the recommendation that the bill be printed and recommitted to the Committee on Revision of Statutes.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a first and second time by title, tabled to be printed, and referred to the Committee on Revision of Statutes.

Mr. Cobleigh of Nashua for the Committee on Revision of Statutes, reported the following entitled bill, House Bill No. 308, An act to regulate the salary of the solicitor of Rockingham County, with the recommendation that the bill be printed and recommitted to the Committee on Revision of Statutes.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a first and second time by title, tabled to be printed, and referred to the Committee on Revision of Statutes.

Mr. Quinn of Manchester for the Committee on Revision of Statutes, reported the following entitled bill, House Bill No. 309, An act to provide pensions for school teachers in Nashua, with the recommendation that the bill be printed and referred to the Special Committee consisting of the Nashua Delegation.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a first and second time by title, tabled to be printed, and referred to a Special Committee consisting of the members from Nashua.

Mr. Lang of Haverhill for the Committee on State Prison, reported the following Joint resolution, House Joint Resolution No. 48, Joint resolution in favor of the New Hampshire State Prison, with the recommendation that the Joint resolution ought to pass.

Read a first and second time, tabled to be printed and referred to the Committee on Appropriations, under the rules.

Mr. Lang of Haverhill for the Committee on State Prison, reported the following Joint resolution, House Joint Resolution No. 49, Joint resolution in favor of K. R. Foster, with the recommendation that the Joint resolution ought to pass.

Read a first and second time. On motion of Mr. Phillips of Concord, it was voted that the printing be dispensed with and the resolution referred to the Committee on Appropriations, under the rules.

Mr. French of Laconia, for the Committee on Railroads, to whom was referred House Bill No. 280, An act repealing Sections 2, 3, 4 and 5, Chapter 159, of the Public Statutes, to establish gates at grade crossings of railroads, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

#### CONTESTED ELECTIONS.

Majority and minority reports on the petition of Willie B. Emmons to a seat in the House of Representatives were presented.

Mr. Collins of Bristol, moved that the report of the minority, that Mr. Emmons is entitled to the seat, be substituted for the majority report to contrary effect.

On motion of Mr. Gagne of Somersworth, it was voted that the petition with the reports and the motion of Mr. Collins pending, be made a part of the regular order for Tuesday next.

Mr. Newton of Concord, moved that the ballots in that election be produced in the House at that time. The vote was in the negative.

Majority and minority reports on the petition of Frank J. Kelly to a seat in the House of Representatives were presented.

On motion of Mr. Mortensen of Gorham, it was voted that the report of the minority that Mr. Kelly is not entitled to a seat be substituted for that of the majority, to contrary effect, and that the petition with both reports and

the motion to substitute pending be made a part of the regular order for Tuesday next.

#### REGULAR ORDER.

Senate Bill No. 16, An act for the punishment of persons issuing worthless checks.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a first and second time by title, and referred to the Committee on Revision of Statutes.

#### BILL TAKEN FROM THE TABLE.

House Bill No. 27 (In New Draft), An act relating to registration of motor vehicles.

Taken from the table.

On motion of Mr. Doyle of Nashua, the bill was re-committed to the Committee on Revision of Statutes.

The report of the Divorce Commission, appointed in 1922, by Governor Albert O. Brown, was referred to the Committee on Judiciary.

#### THIRD READINGS.

On motion of Mr. Lyford of Concord, business in order at 3 o'clock was made in order at the present time.

The following bills were severally read a third time, passed and ordered to the Senate for concurrence:

House Bill No. 4, An act repealing Section 11 of Chapter 55 of the Public Statutes, relating to the exemption from taxation of manufacturing establishments.

House Bill No. 73 (In New Draft), An act in amendment of Section 13, Chapter 191 of the Public Statutes, relating to suits by and against administrators.

#### COMMITTEE ORGANIZATION.

Rockingham County Delegation announced its organization with P. E. Kane, Chairman, G. E. Cox, clerk.

On motion of Mr. Bartlett of Manchester, at 1.11 the House adjourned for the day.

## THURSDAY, MARCH 1, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

## LEAVES OF ABSENCE.

Messrs. Reed of Keene, Jackson of Pittsfield were granted leave of absence for the day on account of business.

## MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 1, An act in amendment of Section 1 of Chapter 156 of the Laws of 1913 as amended by Section 1 of Chapter 196 of the Laws of 1917.

The message further announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 62, An act to amend the charter of the Nashua Protestant Home for Aged Women.

Amend Section 1 of said bill by striking out the word "property" in the eleventh line and by inserting in place thereof the word "estate" and by striking out the word "purpose" in the fifteenth line and by inserting in place thereof the word "purposes."

House Bill No. 101, An act in amendment of Section 44, Chapter 133, Laws of 1915, as amended by Section 20, Chapter 184, Laws of 1917 and Chapter 146, Laws of 1919 and Chapter 93, Laws of 1921, to regulate the issuance of hunting licenses.

Amend the title of said bill by striking out the whole of said title and inserting in place thereof the following title "An act to regulate the issuing of hunting licenses."

Amend Section 1 of said bill by striking out the whole of said section and inserting in place thereof the following:

SECTION 1. Amend Section 55, Chapter 133, Laws of 1915, as amended by Section 20, Chapter 184, Laws of 1917, by striking out after the word "over" in the fourth line of said section the following: "and to persons under sixteen years of age with the consent in writing of the parent or guardian of such child. No such license shall be granted to any child under thirteen years of age", and by striking out the word "thirteen" in the seventh line of said section and inserting in place thereof the word "sixteen", so that the first paragraph of said section, as amended shall read as follows:

SECT. 55. Such license shall be issued by the commission or by agents, under such rules and regulations, and in such form as may be prescribed by the commission, to persons sixteen years of age or over; provided however that a child under sixteen may hunt without a license when accompanied by parent or guardian who has secured a license according to the provisions of this act. Any child, resident or non-resident, under the age of sixteen and any woman, resident or non-resident, may take and kill fresh water fish without procuring a license so to do. The state treasurer shall supply the commission with books containing consecutively numbered licenses having duplicate stubs, upon which shall be recorded the date when the license was issued, and the name of the person to whom issued. Such license shall contain the name, age, color of hair and eyes, and residence of the licensee. The applicant shall fill out and subscribe to a blank to be furnished by the commission to said agent and pay him the following fees.

House Bill No. 288, An act in amendment of Chapter 133, Laws of 1915 as amended by Laws of 1917, 1919 and 1921, in relation to migratory birds.

Amend the title of said bill by striking out the whole of said title and inserting in place thereof the following title: "An act in relation to migratory birds."

Amend Section 1 of said bill by striking out the whole of said section and inserting in place thereof the following:

SECTION 1. Amend paragraph (c) of Section 22, Chapter 133, Laws of 1915, by striking out all of said paragraph and inserting in place thereof a new paragraph as follows: (c) Any of the species mentioned in Section 21 and Section 22 shall not be taken from a boat propelled otherwise than by hand, nor with the aid of a jack or other light, nor between sunset in the evening and one-half hour before sunrise in the morning. The presence of a person upon the public waters of the State or the shores thereof after sundown and before one-half hour before sunrise, possessed of a firearm and jack or other light, shall be presumptive evidence that he has violated the provisions of this section.

House Bill No. 289, An act in amendment of Section 93, Laws of 1921 in relation to the issuance of hunting licenses.

Amend the title of said bill by striking out the whole of said title and inserting in place thereof the following title: "An act in relation to the issuing of hunting licenses."

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

SECTION 1. Amend Section 55, Chapter 133, Laws of 1915, as amended by Section 20, Chapter 184, Laws of 1917, Section 1, Chapter 146, Laws of 1919 and Section 1, Chapter 93, Laws of 1921, by adding at the end of said section one new paragraph (g) which shall read as follows: (g) The commission shall have power and authority to suspend or revoke the license of any person who has been convicted of a violation of any law relating to fish and game. Such license must be revoked within three months after the conviction and such revocation shall end with the calendar year in which the license is revoked.

SECT. 2. This act shall take effect upon its passage.

House Bill No. 292, An act in amendment of Chapter 193, Laws of 1887 as amended by Chapter 175, Laws of 1895 as amended by Chapter 339, Laws of 1913 relating to the charter of the Gordon-Nash Library in New Hampton.

Amend the title of said bill by striking out the whole of said title and inserting in place thereof the following title:

“An act relating to the Charter of the Gordon-Nash Library in New Hampton.”

Amend Section 1 of said act by striking out the word “be” in the fourth line and inserting in place thereof the words “is hereby.”

#### COMMITTEE REPORTS.

Mr. Stevens of Landaff, for the Committee on Ways and Means, presented the following report in pursuance to the resolution of Mr. Lyford of Concord on Tuesday, that the Committee report to the House its plan of taxation in the event of the ratification of the proposed Constitutional Amendment.

“The Ways and Means Committee to whom have been referred all the tax bills in response to the resolution of inquiry recently passed by the House, reports to the House that in case the proposed Constitutional Amendment is ratified, it will recommend the following changes in our tax system and sources of revenue.

(1) The Committee does not propose and never has intended to recommend a general income tax which would apply to all incomes. Statements in the Press that this Legislature desires to pass a general income tax which would apply to wages and income from farms are not true and apparently intended to prejudice people against the Constitutional Amendment.

(2) Owing to the limitation now placed upon the taxing power of the Legislature by the word ‘proportional’ in our Constitution, practically all investments such as stocks, bonds and notes at present escape taxation. Corporate stocks are not legally taxable and the Legislature cannot now pass the laws necessary to make other securities pay their share of the costs of Government.

If the proposed Amendment is ratified, this Committee will recommend legislation which will force investments to pay taxes by means of a reasonable tax on the income of stock, bonds and money at interest. This method has proved successful in other states which are not restricted by the word ‘proportional.’



(3) Whereas savings bank deposits are now paying a large tax, we shall recommend that they be taxed no more than other investments. This will substantially reduce the tax now paid by depositors in savings banks.

(4) It will recommend a tax on gasoline and some reduction in automobile fees.

(5) It will recommend a reasonable increase in our inheritance taxes with exemptions similar to those now allowed. This will make our inheritance taxes approximately equal to those in adjoining states.

(6) The purpose of the Committee in recommending these changes in our tax system is to distribute the taxes more equitably and to reach such property as now escapes taxation.

It will recommend that the additional revenue so provided be used to reduce or if possible to abolish the state tax in order to lighten the burden which now rests so heavily on real estate and other kinds of visible property.

In the opinion of the Committee, unless the Constitutional Amendment is ratified, the proposed equalization of the present tax burden will not be possible."

On motion of Mr. Fernald of Dover, it was voted that 5000 copies of the report of the Ways and Means Committee be printed.

On motion of Mr. Lyford of Concord, it was voted that the report be made a part of the regular order on Tuesday next as a Committee report.

Mr. Kidder of Rumney for the Committee on Forestry, to whom was referred House Bill No. 159, An act for the protection of woodlands from fire during periods of protracted drought, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Callahan of Keene, it was voted that the rules be suspended and the first reading of new bills be by title.

Mr. Kidder of Rumney for the Committee on Forestry,

reported the following entitled bill, House Bill No. 310, An act in amendment of Section 13, Chapter 128, Laws of 1909, as amended by Chapter 166, Laws of 1911, as amended by Chapter 142, Laws of 1915, relating to the burning of brush by permit, with the recommendation that the bill be printed and recommitted to the Committee on Forestry.

Read a first and second time by title, tabled to be printed, and referred to the Committee on Forestry.

Mr. Kidder of Rumney for the Committee on Forestry, reported the following entitled bill, House Bill No. 311, An act in amendment of Section 15, Chapter 128, Laws of 1909, as amended by Chapter 166, Laws of 1911, relating to the power of arrest for violation of forest laws, with the recommendation that the bill be printed and recommitted to the Committee on Forestry.

Read a first and second time by title, tabled to be printed, and referred to the Committee on Forestry.

Mr. Kidder of Rumney for the Committee on Forestry, reported the following entitled bill, House Bill No. 312, An act in amendment of Section 1, Chapter 95, Laws of 1911, as amended by Chapter 159, Laws of 1917, relating to the use of spark arresters on portable steam mills, with the recommendation that the bill be printed and recommitted to the Committee on Forestry.

Read a first and second time by title, tabled to be printed, and referred to the Committee on Forestry.

Mr. Kidder of Rumney for the Committee on Forestry, reported the following Joint resolution, House Joint Resolution No. 50, Joint resolution to provide for a water supply and for improvement of land at the State Forest Nursery, with the recommendation that the Joint resolution be printed and recommitted to the Committee on Forestry.

Read a first and second time by title, tabled to be printed, and referred to the Committee on Forestry.

Mr. Kidder of Rumney, for the Committee on Forestry, reported the following Joint resolution, House Joint Resolution No. 51, Joint resolution in favor of the Margaret Pillsbury General Hospital and Dr. James W. Jameson,

with the recommendation that the Joint resolution be referred to the Committee on Appropriations.

Read a first and second time and on motion of Mr. Walker of Hopkinton recommitted to the Committee on Forestry.

On motion of Mr. Phillips of Concord the printing of the Joint resolution was dispensed with.

Mr. Reynolds of Dover, for the Committee on Public Health, to whom was referred House Bill No. 94, An act to maintain the purity of butter, cream and dairy products, reported the same with the following amendment, and the recommendation that the bill as amended ought to be recommitted to the Committee on Public Health.

Amend Section 1 by inserting after the word "corporation" in line 1 the following: "with intent to deceive," so that said section, as amended, shall read as follows:

SECTION 1. No person, firm or corporation with intent to deceive shall use in any way, in connection or association with the sale or exposure for sale or advertisement of any substance designed to be used as a substitute for butter, the word "butter," "cream," "dairy," "cow," or the name or representation of any breed of dairy cattle, or any combination of such word or words and representation, or any other words or symbols or combination thereof commonly used in the sale of butter.

The report was accepted and the bill and amendment were recommitted to the Committee on Public Health.

Mr. Gilchrist of Henniker, for the Committee on Public Improvements, to whom was referred House Bill No. 99, An act to establish a continuous highway from the Lake Sunapee Road at Bristol to the Daniel Webster Highway at Meredith, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Gilchrist of Henniker, for the Committee on Public Improvements, reported the following entitled bill, House Bill No. 313, An act providing for the laying out of a con-

tinuous state highway leading from Loudon Village to Lower Gilmanton, with the recommendation that the bill be printed and recommitted to the Committee on Public Improvements.

Read a first and second time by title, tabled to be printed, and then referred to Committee on Public Improvements.

Mr. Griffin of Berlin, for the Committee on Roads, Bridges and Canals, to whom was referred House Bill No. 122, An act providing for the extension of the East Side Road in the Town of Seabrook, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Griffin for the Committee on Roads, Bridges and Canals, to whom was referred House Bill No. 103, An act to establish a continuous highway from Taylor Falls' Bridge in Hudson to the Rockingham Road in Salem, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Griffin of Berlin for the Committee on Roads, Bridges and Canals, to whom was referred House Joint Resolution No. 14, Joint resolution for the permanent construction of the highway in the Town of Jefferson, leading from the Carroll town line to the Gorham Hill road near Bowman's, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Griffin of Berlin for the Committee on Roads, Bridges and Canals, to whom was referred House Joint Resolution No. 33, Joint resolution for the improvement of the highway in the Town of Mason, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Griffin of Berlin for the Committee on Roads, Bridges and Canals, to whom was referred House Joint

Resolution No. 37, Joint resolution appropriating money for improvement and maintenance of State Highway leading from Little Diamond Pond, in the Town of Stewartstown, to the town line of the Town of Colebrook, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Griffin of Berlin for the Committee on Roads, Bridges and Canals, to whom was referred House Joint Resolution No. 18, Joint resolution in favor of repairing Sugar Loaf Road in the Town of Alexandria, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

On motion of Mr. Collins of Bristol the Joint resolution was recommitted to the Committee on Roads, Bridges and Canals.

Mr. Griffin of Berlin for the Committee on Roads, Bridges and Canals, to whom was referred House Joint Resolution No. 35, Joint resolution for the repair of the highway leading from Dorchester to Lyme, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

On motion of Mr. Ashley of Dorchester the Joint resolution was recommitted to the Committee on Roads, Bridges and Canals.

Mr. Lord of Manchester, for the Committee on Appropriations, reported the following Joint resolution, House Joint Resolution No. 52, Joint resolution to provide for a deficit in the appropriation of the New Hampshire State Hospital for the fiscal period ending June 30, 1923, with the recommendation that the Joint resolution ought to pass.

Read a first and second time.

On motion of Mr. Lord of Manchester, the rules were suspended, the printing dispensed with, and the Joint resolution put upon its passage.

Read a third time, passed and ordered to the Senate for concurrence.

Mr. Dube of Nashua, for the Special Committee, consisting of the Nashua Delegation, to whom was referred House Bill No. 188, An act in amendment of Section 1, Chapter 340 of the Session Laws of 1917, relating to the services of police officers in the City of Nashua, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Smith of Manchester, for the Committee on Normal Schools, to whom was referred House Joint Resolution No. 3, Joint resolution providing for the erection of a dormitory at the Keene Normal School, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Reynolds of Dover, for the Committee on Public Health, to whom was referred House Joint Resolution No. 46, Joint resolution for improvements at New Hampshire State Sanatorium, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Reynolds of Dover, for the Committee on Public Health, to whom was referred House Joint Resolution No. 19, Joint resolution providing for a laboratory in the City of Manchester, reported the same with the following resolution:

*Resolved*, That the resolution be referred to the Committee on Appropriations, without recommendation.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Reynolds of Dover, for the Committee on Public Health, to whom was referred House Bill No. 190, An act in amendment of Section 8, Chapter 173, of the Public Statutes, relating to the registration of births, deaths, marriages, as amended by Chapter 17, Laws of 1899, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Reynolds of Dover for the Committee on Public Health, to whom was referred House Bill No. 88, An act regarding care of buildings, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Cobleigh of Nashua for the Committee on Revision of Statutes, reported the following entitled bill, House Bill No. 314, An act in amendment of Section 2, Chapter 120, Laws of 1909, relating to sentences to the State Prison, with the recommendation that the bill be printed and recommitted to the Committee on Revision of Statutes.

Read a first and second time by title, tabled to be printed, and referred to the Committee on Revision of Statutes.

On motion of Mr. Hardy of Hollis, it was voted that the clerk be instructed to procure 200 extra copies of House Bill No. 302.

#### RESOLUTION PRESENTED.

Mr. Aiken of Franklin presented the following motion:

That the Speaker of the House appoint a committee of three to draw and present to this House, within 20 days, a resolution purporting the establishment of a fact-finding commission which will report their finding to the incoming legislature in 1925 on the 48-hour question, and, that this resolution be laid on the table and made a Special Order on Tuesday next, for 11.02.

The Special Order was ordered.

#### REGULAR ORDER.

The House voted to concur with the Senate in the adoption of the following amendments offered by the Committee on Engrossed Bills to the following bills:

House Bill No. 62, An act to amend the charter of the Nashua Protestant Home for Aged Women.

Amend Section 1 of said bill by striking out the word "property" in the eleventh line and by inserting in place thereof the word "estate" and by striking out the word "purpose" in the fifteenth line and by inserting in place thereof the word "purposes."

House Bill No. 101, An act in amendment of Section 55, Chapter 133, Laws of 1915, as amended by Section 20, Chapter 184, Laws of 1917, and Chapter 146, Laws of 1919, and Chapter 13, Laws of 1921, to regulate the issuing of hunting licenses.

Amend the title of said bill by striking out the whole of said title and inserting in place thereof the following title "An act to regulate the issuing of hunting licenses."

Amend Section 1 of said bill by striking out the whole of said section and inserting in place thereof the following:

SECTION 1. Amend Section 55, Chapter 133, Laws of 1915, as amended by Section 20, Chapter 184, Laws of 1917, by striking out after the word "over" in the fourth line of said section the following: "and to persons under sixteen years of age with the consent in writing of the parent or guardian of such child. No such license shall be granted to any child under thirteen years of age", and by striking out the word "thirteen" in the seventh line of said section and inserting in place thereof the word "sixteen", so that the first paragraph of said section, as amended shall read as follows:

SECT. 55. Such license shall be issued by the commission or by agents, under such rules and regulations, and in such form as may be prescribed by the commission, to persons sixteen years of age or over; *provided, however*, that a child under sixteen may hunt without a license when accompanied by parent or guardian who has secured a license according to the provisions of this act. Any child, resident or non-resident, under the age of sixteen and any woman, resident or non-resident, may take and kill fresh water fish without procuring a license so to do. The state treasurer shall supply the commission with books containing consecutively numbered licenses having duplicate stubs, upon



which shall be recorded the date when the license was issued, and the name of the person to whom issued. Such license shall contain the name, age, color of hair and eyes, and residence of the licensee. The applicant shall fill out and subscribe to a blank to be furnished by the commission to said agent and pay him the following fees.

House Bill No. 289, An act in amendment of Chapter 93, Laws of 1921, in relation to the issuance of hunting licenses.

Amend the title of said bill by striking out the whole of said title and inserting in place thereof the following title: "An act in relation to the issuing of hunting licenses."

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

SECTION 1. Amend Section 55, Chapter 133, Laws of 1915, as amended by Section 20, Chapter 184, Laws of 1917, Section 1, Chapter 146, Laws of 1919 and Section 1, Chapter 93, Laws of 1921, by adding at the end of said section one new paragraph (g) which shall read as follows:

(g) The commission shall have power and authority to suspend or revoke the license of any person who has been convicted of a violation of any law relating to fish and game. Such license must be revoked within three months after the conviction and such revocation shall end with the calendar year in which the license is revoked.

SECT. 2. This act shall take effect upon its passage.

House Bill No. 288, An act in amendment of Chapter 133, Laws of 1915, as amended by Laws of 1917, 1919 and 1921, in relation to migratory birds.

Amend the title of said bill by striking out the whole of said title and inserting in place thereof the following title: "An act in relation to migratory birds."

Amend Section 1 of said bill by striking out the whole of said section and inserting in place thereof the following:

SECTION 1. Amend paragraph (c) of Section 22, Chapter 133, Laws of 1915, by striking out all of said paragraph and inserting in place thereof a new paragraph as follows:

(c) Any of the species mentioned in Section 21 and Section 22 shall not be taken from a boat propelled otherwise

than by hand, nor with the aid of a jack or other light, nor between sunset in the evening and one-half hour before sunrise in the morning. The presence of a person upon the public waters of the State or the shores thereof after sundown and before one-half half before sunrise, possessed of a firearm and jack or other light, shall be presumptive evidence that he has violated the provisions of this section.

The House also voted to concur with the amendment to House Bill 292, offered by the Committee on Engrossed Bills and adopted by the Senate. The bill was sent to the Secretary of State to be engrossed.

On motion of Mr. Lyford of Concord business in order at 3 o'clock, was made in order at the present time.

#### THIRD READING.

The following bill was read a third time, passed and ordered to the Senate for concurrence:

House Bill No. 86, An act amending Section 10 of Chapter 79 of the Public Statutes, enabling towns and village districts to establish boards of sewer commissioners.

On motion of Mr. Lawrence of Middleton it was voted that when the House adjourns to-day it be until Friday at 9.30, and that the adjournment at that session be until Monday at 7.30.

On motion of Mr. Wright of Sanbornton at 1.20 the House adjourned.

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#### FRIDAY, MARCH 2, 1923.

The House met at 9.30 o'clock.

On motion of Mr. Kendall of Concord, at 9.30½ the House adjourned.

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#### MONDAY, MARCH 5, 1923.

The House met at 7.30 o'clock.

On motion of Mr. Franklyn of Cornish, at 7.30½ the House adjourned.

TUESDAY, MARCH 6, 1923.

The House met at 11 o'clock.

Prayer was offered by the Chaplain.

## MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has passed the following bills, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 20, An act to provide for increase of salary for Sheriff of Hillsborough County.

Senate Bill No. 22, An act in amendment of Section 3, Chapter 24 of the Public Statutes, relating to the County Convention.

The message further announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and Joint resolutions, sent up from the House of Representatives:

House Bill No. 54 (In New Draft and New Title), An act in amendment of Section 10, Chapter 152 of the Public Statutes, relating to religious societies.

House Bill No. 91 (In New Draft and New Title), An act in amendment of Chapter 7 of the Session Laws of 1907, concerning holidays.

House Bill No. 168, An act relating to the precincts in the City of Concord.

House Joint Resolution No. 22, Joint resolution in favor of the New Hampshire Old Home Week Association.

House Joint Resolution No. 38, Joint resolution in favor of the estate of George W. Benson.

## PETITIONS.

The following petitions were presented and referred to the Committee on Revision of Statutes:

By Mr. Kendall of Concord, petition of citizens of Claremont protesting against the passage of House Bills Nos. 33 and 34, and against any changes in the Sunday Laws.

By Mr. Kendall of Concord, petition of W. C. T. U. of Gonic, protesting against any change in the Sunday Laws.

By Mr. Kellom of Winchester, petition of citizens of Winchester, protesting against any change in the Sunday Laws.

#### LEAVES OF ABSENCE.

Messrs. Blake of Gilsum and Doyle of Nashua were granted leave of absence for the day on account of illness.

Messrs. Elms of Lyman and Jones of Alton were granted leave of absence for the week on account of illness.

Mr. Papachristos of Nashua was granted leave of absence for the day on account of business.

Mr. Stevens of Milton was granted leave of absence for the week on account of death in the family.

#### REPORTS OF COMMITTEES.

Mr. Colby of Plainfield for the Committee on Engrossed Bills reported that the committee had examined and found correctly engrossed the following entitled bills and Joint resolutions:

House Bill No. 15, An act in amendment of Chapter 186 of the Public Statutes, relating to wills.

House Bill No. 21, An act concerning the transfer of bodies from one town to another.

House Bill No. 36, An act in amendment of Section 40 of the business corporation law.

House Bill No. 37, An act in amendment of Section 1 of the business corporation law.

House Bill No. 39, An act relating to the issue of bonds by the Union School District No. 2 of the Town of Bristol.

House Bill No. 54 (In New Draft and Title), An act in amendment of Section 10 of Chapter 152 of the Public Statutes, relating to religious societies.

House Bill No. 59, An act to amend an act to establish a corporation by the name of the Trustees of the New Hampshire Conference Seminary and the New Hampshire Female College, approved December 29, 1852, and other acts amending the same.

House Bill No. 69, An act to enable the Town of Newport, New Hampshire, to refund its indebtedness.

House Bill No. 84, An act authorizing the Town of Claremont to renew and extend its water bonds.

House Bill No. 110, An act in amendment of Chapter 148 of the Laws of 1915, entitled: "An act relating to actions for personal injuries."

House Bill No. 227, An act authorizing the Lancaster Fire Precinct to pay certain moneys to Union School District No. 1 in the Town of Lancaster.

House Bill No. 236, An act to create a State Pier Commission.

House Joint Resolution No. 22, Joint resolution in favor of the New Hampshire Old Home Week Association.

House Joint Resolution No. 38, Joint resolution in favor of the estate of George W. Benson.

The report was accepted.

On motion of Mr. Lyford of Concord it was voted that the rules be suspended, so far as to allow the Committee on Judiciary to report on the following bill with the recommendation that the bill ought to pass, at this time:

House Bill No. 305, An act to authorize the County of Hillsborough to issue bonds.

The report of the committee was accepted and the bill read a first and second time.

On motion of Mr. Lyford of Concord, it was voted to further suspend the rules, dispense with the printing, and put the bill on its passage at this time.

The bill was then read a third time, passed and ordered to the Senate.

Mr. Davison of Haverhill for the Committee on Judiciary, to whom was referred House Bill No. 228, An act providing for the signing of editorials or articles in newspapers and other periodicals, reported the same with the recommendation that the bill ought to pass.

On motion of Mr. Lyford of Concord, it was voted that the bill be recommitted to the Committee on Judiciary.

Mr. Barry of Nashua for the Committee on Judiciary,

to whom was referred House Bill No. 220, An act relating to voting on removal of voter, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barry of Nashua for the Committee on Judiciary, to whom was referred House Bill No. 293, An act relating to the issue of bonds by the town of Hooksett, reported the same with the following amendment, and with the recommendation that the bill, as amended, ought to pass:

Amend Section 1 of said bill by striking out the words "two hundred thousand," and inserting in place thereof the words "one hundred fifty thousand," so that said section as amended will read as follows:

SECTION 1. The town of Hooksett is hereby authorized, at any annual meeting or Special Meeting called for that purpose, to borrow upon the credit of said town a sum not exceeding one hundred fifty thousand dollars for the building and maintenance of water systems in said town, and to issue bonds or notes therefor at the lowest rate of interest obtainable.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Smith of Peterborough for the Committee on Judiciary, to whom was referred House Bill No. 271, An act relating to the replacement of buildings of state institutions destroyed by fire, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Wright of Sanbornton for the Committee on Judiciary, to whom was referred House Bill No. 249, An act in amendment of Chapter 162, Laws of 1915, as already amended by Chapters 75 and 171, Laws of 1917, and Chapter 96, Laws of 1919, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Davison of Haverhill, for the Committee on Judiciary, to whom was referred House Bill No. 255, An act in relation to the regulation of auctions and auctioneers, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia, for the Committee of Judiciary, to whom was referred House Bill No. 256, An act to forbid lawyers who are expelled from practice by the Supreme Court from acting as counsellors or attorneys under penalty, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill with amendment in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

House Bill No. 168, An act relating to the precincts in the City of Concord.

Amend said bill by adding at the end thereof a new section to be known as Section 2:

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

#### COMMITTEE REPORTS.

Mr. Cronin of Portsmouth, for the Committee on Judiciary, to whom was referred House Bill No. 262, An act amending Section 3 of Chapter 137 of the Public Statutes, relating to the execution of deeds and other conveyances of real estate, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Eaton of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 279, An act in amendment of Chapter 174, Section 8 of the Public Statutes, relating to marriages, and in relation to commissioners to solemnize the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

On motion of Mr. Littlefield of Newton the bill was re-committed to the Committee on Judiciary.

Mr. Martin of Concord, for the Committee on Judiciary, reported the following entitled bill, House Bill No. 316, An act to authorize the towns to raise money toward the support of a resident physician, with the recommendation that the bill ought to pass.

On motion of Mr. Fernald of Dover, the rules were suspended, and the bill was read a first and second time by title.

On motion of Mr. Aiken of Franklin, it was voted that the printing be dispensed with and the bill was ordered to a third reading.

Mr. Fall of Tamworth for the Committee on Public Improvements, reported the following entitled bill, House Bill No. 315, An act to establish a continuous highway from the south side road at Auburn to the Massachusetts State Line at Haverhill, with the recommendation that the bill be printed and recommitted to the Committee on Public Improvements.

Read a first and second time, tabled to be printed, and referred to the Committee on Public Improvements.

Mr. Hoyt of Francestown for the Committee on State Hospital, to whom was referred House Bill No. 230, An act to provide additional accommodations at the New Hampshire State Hospital, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.



## CONTESTED ELECTIONS.

The contested election in the Town of Thornton was brought before the House upon the motion of Mr. Hoyt of Sandwich to substitute the report of the minority, in favor of Willie Emmons, for that of the majority, in favor of George W. Fadden.

(Discussion ensued.)

Mr. Gagne of Somersworth moved the previous question.

The question being: Shall the previous question now be put?, a *viva voce* vote was in the affirmative.

The question being: Shall the report of the minority be substituted for that of the majority?, Mr. Lyford of Concord called for a division.

A division being had, the result was as follows:

For the motion: 146.

Against the motion: 160.

The question being on the adoption of the majority report, a *viva voce* vote was in favor of the adoption.

Mr. Wright of Sanbornton, called for a division on the question of the adoption of the majority report.

A division being had, the result was as follows:

For the acceptance of the report: 167.

Against the acceptance of the report: 134.

Mr. Fadden was seated as the representative from Thornton.

The contested election in Ward 7, Concord, was brought before the House upon the motion of Mr. Mortenson of Gorham, to substitute the report of the minority, in favor of Burt J. Carleton for that of the majority in favor of Frank J. Kelly.

(Discussion ensued.)

Mr. Kenney of Manchester moved the previous question.

The question being: Shall the main question now be put?, a *viva voce* vote was in the affirmative.

The question being: Shall the report of the minority be substituted for that of the majority?, Mr. Lyford of Concord called for a division.

A division was had, with the following result:

For the substitution: 144.

Against the substitution: 127.

Mr. Winant of Concord called for the yeas and nays, and the roll was called with the following result:

YEAS, 144.

ROCKINGHAM COUNTY.—Senecal, LaBranche, Rousseau, Weeks of Portsmouth, Casey, Cronin, Kane.

STRAFFORD COUNTY.—Howard of Dover, O'Neill, Jr., Jenelle, Ryan, Durnin, Lawrence, Gotts, Edgerly, Gelinas, Marcoux, Davis of Rollinsford, Girard, Cote, Gagne, Hanagan, Houle of Somersworth, Heon.

BELKNAP COUNTY.—Dunlap, Normandin, French, Laycock, Roberts of Meredith.

CARROLL COUNTY.—Chandler, Fulton, Fall, Thomas, Lord of Wakefield.

MERRIMACK COUNTY.—Desroche, Albee, Sanborn of Bradford, Tallman, Dodge of Concord, Rolfe, Robinson of Concord, Phillips, Martin of Concord, Lee, Gannon, Fowler, Garneau, Mahan, Judkins, Newton of Franklin, Walker of Hopkinton, Bellerose, Martin of Pembroke, Cheney of Pittsfield, Sanborn of Salisbury, Seavey.

HILLSBOROUGH COUNTY.—Boisvert, Johnson of Manchester, Moquin, Murphy of Ward 3, Manchester, Burns of Manchester, Fitzgerald, Clancy, Connor, Creighton, Kelley of Ward 5, Manchester, Laughlin, McNulty, Tobin, Barry of Manchester, Burke, Currier of Manchester, Murphy of Ward 6, Manchester, Sibley, Smith of Manchester, Carr, Foye, Godbout, Quinn, Sullivan of Manchester, Bouchard, Chevrette, Donnelly, Leonard, McLaughlin, Morin, Conboy, McBride, Riley, Rourke, Getz, LeClerc, Craig, Gowitzke, Roukey, Gauthier of Ward 12, Manchester, Lamy, Maynard, Rajotte, Dionne, Duval, Gagnon, Gauthier of Ward 13, Manchester, Boilard, Dube, Trombly, Spillane, Sullivan of Ward 4, Nashua, Burns of Nashua, Cotton of Nashua, Lyons, Barry of Nashua, Hallisey, Sylvestre, Bilodeau, Girouard, Pelletier, Tobey, Eastman of Weare, Hickey.

CHESHIRE COUNTY.—Bemis, Duncan, Hogan, King of Keene, Dickinson, McGinness, Wells of Walpole, Kellom.

GRAFTON COUNTY.—Parker, Barrett of Bethlehem, Chellis, Lang, Houle of Littleton, Mooney, Nourse, Fadden, Sawyer.

COOS COUNTY.—Hayward, Keleher, Frizzell, Young of Colebrook, Mortenson, McIntire, Nutting.

Mr. Griffin of Auburn voting yes was paired with McDuffee of Candia voting no.

### NAYS, 127.

ROCKINGHAM COUNTY.—Wheeler of Atkinson, Pike, Tenney of Chester, Johnson of Danville, White, Batchelder, Field, Swain, Randall, Hobbs, Kent, Hills, Wood of Portsmouth, Cowan, Felch, Dow of Windham.

STRAFFORD COUNTY.—Fernald, Webb, Fogg, Smith of Farmington, Preston.

BELKNAP COUNTY.—Holmes, Smith of Belmont, Sanborn of Center Harbor, Weeks of Gilford, Avery, Jewett, Merrill of Laconia, Badger, Holt, Gordon of New Hampton, Wright, Sanborn of Tilton, Smith of Tilton.

CARROLL COUNTY.—Wiley, Ela, Chick, Blanchard, Smart, Hoyt of Sandwich, Clow, Hale.

MERRIMACK COUNTY.—Rollins, Grimes, Lyford, Newton of Concord, Cressy, Roby, King of Concord, Winant, Aiken, Gilchrist, Murdock, Farmer of Newbury, Cutting, Carter, Wells of Sutton, Wheelwright.

HILLSBOROUGH COUNTY.—Flint, Weston, Butler, Childs, Merrill of Hudson, Spaulding of Hudson, Putnam, Cronan, Dodge of Manchester, Bartlett of Manchester, Cox of Manchester, Lord of Manchester, Nyberg, Pecor, Ordway, Robinson of Milford, Cobleigh, Winslow, Pentland, Bass, Smith of Peterborough.

CHESHIRE COUNTY.—Dewing of Keene, Firmin, Callahan, Reed, Barrett of Keene, Empey, Gates, Huntley, Sawtelle, Davis of Stoddard, Ball, King of Walpole, Burt.

SULLIVAN COUNTY.—Clark of Acworth, Barney, Brooks,

Etsler, Nichols, Wolcott, Rossiter, Barton, Bluitte, Glynn, Robinson of Newport, Osborne.

GRAFTON COUNTY.—Southard, Collins, Pulsifer of Camp-ton, Ashley, Rudd, Bridgman, Cross, Davison, Pulsifer of Holderness, Howard of Lebanon, Ross, Hallett, Frazer, Harris, Sherwood.

COOS COUNTY.—Hunt, Sims, Ferren, Rowden, Smith of Northumberland, Wood of Stewartstown, Brown, Snow.

Mr. Lyford of Concord, questioning the validity of the vote, and it appearing that less than two-thirds of the House was present, and the majority vote being insufficient under the rules, it was ruled that the vote was of no effect, and the matter was put in unfinished business.

On motion of Mr. Duncan of Jaffrey it was voted that the report of the Committee on Ways and Means on the proposed plan of taxation in the event of the ratification of the proposed Constitutional Amendment be laid upon the table.

On motion of Mr. Lyford of Concord the House took a recess of one hour.

(After recess.)

#### SPECIAL ORDER.

Mr. Hoyt of Sandwich called for the Special Order, it being the report of the Committee on Revision of Statutes on House Bill No. 93, An act providing for the election of selectmen.

Mr. Hoyt of Sandwich offered the following amendment, and it was voted that the bill with the proposed amendment be printed and taken up in the regular order:

Amend said bill by striking out the figures "1923" in line 2 of the printed bill and inserting in place thereof the figures "1924"; further amend by striking out the figures "1924" in line 3 of the printed bill and inserting in place thereof the figures "1925", so that said section as amended shall read:

SECTION 1. Every town, at the annual meeting in 1924 shall choose, by ballot and by plurality vote one selectman

for one year, in 1925 two selectmen for one year, and thereafter at every annual meeting three selectmen for one year. The selectmen shall manage the prudential affairs of the town and perform the duties by law prescribed. A majority of the selectmen shall be competent to sit in all cases.

Further amend by inserting a new section to be numbered Section 3 as follows:

SECT. 3. This act shall be optional in towns where at the annual town meeting it is voted to accept it, an article having been placed in the warrant of town meeting submitting it to a vote.

Further amend said bill by renumbering Section 3 Section 4.

Mr. Aiken of Franklin called for the second Special Order, it being the resolution introduced by him with reference to a fact finding commission on the forty-eight hour law.

He then moved that the resolution be made a Special Order for Thursday next at 11.01, and the vote was in the affirmative.

#### REGULAR ORDER.

House Bill No. 26, An act to control the possession, sale, and use of pistols and revolvers, having been printed with the proposed amendment and being still on its second reading, Mr. Craig of Manchester offered the following amendment:

Amend Section 6, line 3 of the printed bill by inserting the words "and other law enforcement" after the word "peace" and before the word "officers," so that said section shall read as follows:

SECT. 6. The provisions of the preceding sections shall not apply to marshals, sheriffs, policemen, or other duly appointed peace and law enforcement officers, nor to the regular and ordinary transportation of pistols or revolvers as merchandise, nor members of the Army, Navy, or Marine Corps of the United States or to the National Guard, when on duty, or organizations by law authorized to purchase or receive such weapons, nor to duly authorized military or

civil organizations when parading, nor to the members thereof when at or going to or from their customary places of assembly.

The amendment was adopted and the bill ordered to a third reading.

SENATE BILL INTRODUCED AND REFERRED.

The following Senate bills were severally introduced, read a first and second time and referred as follows:

Senate Bill No. 22, An act in amendment of Section 3, Chapter 24 of the Public Statutes, relating to the county convention.

To the Committee on Revision of Statutes:

Senate Bill No. 20, An act to provide for increase of salary for sheriff of Hillsborough County.

On motion of Mr. Craig of Manchester the bill was referred to a Special Committee consisting of the Hillsborough County Delegation.

SENATE AMENDMENT CONCURRED WITH.

On motion of Mr. Lyford of Concord, the House voted to concur with the Honorable Senate in the following amendment to House Bill No. 168, An act relating to the precincts in the City of Concord.

Amend said bill by adding at the end thereof a new section, to be known as Section 2:

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

On motion of Mr. Aiken of Franklin at 2.59 the House adjourned from the morning session.

AFTERNOON.

The House met at 3.00 o'clock.

On motion of Mr. Callahan of Keene it was voted that the third readings be by title under a suspension of the rules.

## THIRD READING.

The following bill was read a third time, passed and ordered to the Senate for concurrence:

House Bill No. 159, An act for the protection of woodlands from fire during periods of protracted drought.

On motion of Mr. Lord of Manchester, at 3.05 the House adjourned.

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## WEDNESDAY, MARCH 7, 1923.

The House met at 11 o'clock.

Prayer was offered by the Rev. Mr. Reed of Keene, a member of the House.

## PETITIONS.

The following petitions were presented and referred to the Committee on Revision of Statutes:

By Mr. Hale of Wolfeboro, petition of H. H. Hoyt and 63 other citizens of Wolfeboro against change in Sunday Laws.

By Mr. Clow of Wolfeboro, petition of F. L. Long and 72 other citizens of Wolfeboro against change in Sunday Laws.

## MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 112, An act in amendment of Chapter 268 of the Laws of 1889, entitled "An act to incorporate the Woodsville Guaranty Savings Bank."

House Bill No. 229, An act in amendment of Chapter 305, Laws of 1909, entitled "An act to Revise the Charter of the City of Concord" and Chapter 245, Laws of 1919 in amendment thereof.

House Bill No. 250, An act to legalize the biennial election held on the seventh day of November, 1922, in the Town of Alton.

## LEAVES OF ABSENCE.

Mr. Young of Berlin was granted leave of absence for the balance of the week on account of illness in the family.

Mr. Doyle of Nashua was granted leave of absence for the balance of the week on account of illness.

Messrs. O'Neil, Jr., of Dover, LeClerc of Manchester were granted leave of absence for the balance of the week on account of business.

Mr. Bartlett of Manchester was granted leave of absence for the balance of the week on account of death in the family.

Messrs. Lovejoy of Milford, Bilodeau of Nashua, and Dube of Nashua were granted leave of absence for the day on account of business.

## REPORTS OF COMMITTEES.

Mr. Hutchins of Berlin, for the Committee on Liquor Laws, to whom was referred House Bill No. 165, An act amending Chapter 147 of the Laws of 1917, relating to intoxicating liquors, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hutchins of Berlin, for the Committee on Liquor Laws, to whom was referred House Bill No. 259, An act relating to intoxicating liquors, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 1 by striking out in lines 7, 8, 9 and 10, and also in lines 46, 47, 48 and 49 the following: "by the county in which the violation took place, and the treasurer of said county shall draw his warrant therefor, upon presentation of the bill for such services duly approved by the county commissioners" and inserting in place thereof the following: "and the same shall be added to the costs now allowed to be taxed in criminal cases" so that said section, as amended, shall read as follows:

SECTION 1. Amend Section 50, Chapter 147, Laws of



1917, as amended by Chapter 99, Laws of 1919, and Chapter 54 of the Laws of 1921, by inserting after the words "prohibition law" in the thirty-third line of said section, the words: "The trial justice or clerk of court furnishing said reports shall be paid twenty cents for each report and the same shall be added to the costs now allowed to be taxed in criminal cases," so that said Section 50 as amended, shall read as follows:

SECT. 50. The Governor shall appoint a state commissioner of law enforcement and fix his compensation to be paid by the state. The duties of the state commissioner of law enforcement shall be, under the attorney-general, to secure the enforcement of the laws in reference to intoxicating liquor. He shall have all the powers of the county solicitor in any county, in reference to the laws concerning intoxicating liquor, and the enforcement of such laws. He shall have jurisdiction in the enforcement of such laws, either in co-operation with, or independently of, the other officers of any county, city or town. With the consent of the Governor and attorney-general, the state commissioner of law enforcement may employ such deputies and other agents and make such regulations as may be necessary to secure the efficient enforcement of the laws in relation to intoxicating liquor. Such deputies shall furnish bonds in such form as is prescribed for sheriffs, in such sums, of not less than \$1,000 each, and with such sureties, as the Governor and Council shall prescribe. Such deputies shall, under the direction of the state commissioner of law enforcement, have power to enforce all laws now or hereafter in force, relating to intoxicating liquor, and may make arrests for violations thereof. They shall also have, in matters pertaining to intoxicating liquor, power to serve criminal process and to require aid in executing the duties of their office. They may arrest, without warrant and on view, in any part of the state, a person found violating any law now or hereafter in force, relating to intoxicating liquor, take such person before a magistrate having jurisdiction for trial, and detain such person in custody at the expense of the state until opportunity is given to notify a prosecuting officer, if necessary,

who shall forthwith prosecute such offender. The state commissioner of law enforcement shall furnish suitable blanks to the officers of the courts in the state, on which the clerks or justices of such courts shall make reports to the state commissioner of law enforcement of all cases tried by them for violation of the prohibition law. The trial justice or clerk of court furnishing said reports shall be paid twenty cents for each report and the same shall be added to the costs now allowed to be taxed in criminal cases. The compensation and personal expenses of the state commissioner of law enforcement, and the compensation and expenses of his deputies and agents shall be paid by the state, on the warrant of the Governor. When prosecution for the violation of the laws in reference to intoxicating liquor is begun and carried on by the state commissioner of law enforcement, or by the county solicitor, all moneys collected for fines shall be paid to the state treasurer, or to the county treasurer, as the case may be. The state commissioner of law enforcement may employ such clerical assistance, not exceeding in amount one thousand two hundred dollars in any year as he may find necessary in enforcing the provisions of this act.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Martin of Concord for the Committee on Judiciary, to whom was referred House Bill No. 304, An act to legalize the issue of serial notes or bonds of the County of Grafton, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Davison of Haverhill it was voted to suspend the rules and put the bill upon its third reading and passage at this time.

The bill was then read a third time, passed and ordered to the Senate for concurrence.

Mr. Cox of Manchester for the Special Committee consisting of the Hillsborough County Delegation, to whom

was referred House Bill No. 113, An act relative to the official bond of the treasurer of Hillsborough County, reported the same in new draft with the recommendation that the bill in its new draft ought to pass.

Read a first and second time. On motion of Mr. Cox of Manchester it was voted to dispense with the printing of the bill, to suspend the rules and put the bill upon its third reading by title and passage at this time.

The bill was then read a third time, passed and ordered to the Senate for concurrence.

Mr. Cox of Manchester for the Special Committee consisting of the Hillsborough County Delegation, to whom was referred House Bill No. 253, An act in amendment of Section 19 of Chapter 286 of the Public Statutes, relating to the salary of the treasurer of Hillsborough County, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 1 by striking out the word "fifteen" in lines 4 and 6 and inserting in place thereof the word "ten", so that said section, as amended, shall read as follows:

SECTION 1. Amend Section 19 of Chapter 286 of the Public Statutes by striking out in the sixth sentence thereof the word "seven" and inserting in place thereof the word "ten", so that when amended said sixth sentence of Section 19 shall read: "In Hillsborough, ten hundred dollars."

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

On motion of Mr. Cox of Manchester, the rules were suspended, the bill read a third time by title, passed and ordered to the Senate for concurrence.

#### CHANGE OF ORDER.

On motion of Mr. Lord of Manchester the order by which House Bill No. 259, An act relating to intoxicating liquors, was ordered to a third reading, was vacated, and the bill referred to the Committee on Appropriations under the rules.

On motion of Mr. Kenney of Manchester the order by which House Bill No. 26, An act to control the possession,

sale and use of pistols, or revolvers, was ordered to a third reading, was vacated, and the bill put back on its second reading.

On motion of Mr. Kenney of Manchester it was voted that the following amendment offered by the Committee on Revision of Statutes be accepted, and the bill ordered to a third reading.

Amend by striking out Section 3.

Amend Section 5 by inserting after the word "revolver" in line 1 of the printed bill, the word "concealed" so that said section, as amended, shall read as follows:

SECT. 5. No person shall carry a pistol or revolver concealed in any vehicle or upon his person, except in his dwelling-house or place of business, without a license therefore as hereinafter provided. Violations of this section shall be punished by not more than one hundred dollars or by imprisonment not exceeding one year or by both fine and imprisonment.

Amend Section 7 by striking out the word "five" in the last line, and inserting in place thereof the word "one" so that said section, as amended, shall read as follows:

SECT. 7. The selectmen of towns or the mayor or chief of police of cities may, upon application of any person issue a license to such person to carry a loaded pistol or revolver in this state, for not more than one year from date of issue, if it appears that the applicant has good reason to fear an injury to his person or property or for any other proper purpose, and that he is a suitable person to be licensed. The license shall be in duplicate and shall bear the name, address, description, and signature of the licensee. The original thereof shall be delivered to the licensee, the duplicate shall be preserved by the selectmen of towns and the chief of police of the cities therein issued for a period of one year.

Amend Section 9 by striking out in lines 2 and 3 the following: "he has reasonable cause to believe either"; further amending by striking out the word "five" in line 15 and inserting in place thereof the word "one," so that said section, as amended, shall read as follows:

SECT. 9. No person shall sell, deliver, or otherwise transfer a pistol or revolver to a person who is an unnaturalized foreign-born person or has been convicted of a felony against the person or property of another, except upon delivery of a written permit to purchase, signed by the selectmen of the town or the mayor or chief of police of the city. Before a delivery be made the purchaser shall sign in duplicate and deliver to the seller a statement containing his full name, address, and nationality, the date of sale, the caliber, make, model, and manufacturer's number of the weapon. The seller shall, within seven days, sign and forward to the chief of police of the city or selectmen of the town one copy thereof and shall retain the other copy for one year. This section shall not apply to sales at wholesale. Where neither party to the transaction holds a dealer's license, no person shall sell or otherwise transfer a pistol or revolver to any person not personally known to him. Violations of this section shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than one year, or by both such fine and imprisonment.

Amend Section 11 by striking out subdivision "B" of paragraph "3" and inserting in place thereof the following:

"B. If the vendor shall sell a pistol or revolver to an unnaturalized foreign-born person or to a person who has been convicted of a felony against the person or property of another and has no license to possess a pistol or revolver."

Further amending Section 11 by striking out the word "five" in line 33 and inserting in place thereof the word "one," so that said section, as amended, shall read as follows:

SECT. 11. The selectmen of towns and the chief of police of cities may grant licenses, the form of which shall be prescribed by the secretary of state, effective for not more than one year from date of issue, permitting the licensee to sell at retail pistols and revolvers subject to the following conditions, for breach of any of which the license shall be subject to forfeiture:

1. The business shall be carried on only in the building designated in the license.

2. The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be read.

3. No pistol or revolver shall be delivered—

A. Unless the purchaser either is personally known to the seller or shall present clear evidence of his identity; nor

B. If the vendor shall sell a pistol or revolver to an unnaturalized foreign-born person or to a person who has been convicted of a felony against the person or property of another and has no license to possess a pistol or revolver.

A true record, in duplicate, shall be made of every pistol or revolver sold, said record to be made in a book kept for the purpose, the form of which shall be prescribed by the secretary of state and shall be signed by the purchaser and by the person effecting the sale, and shall include the date of sale, the caliber, make, model, and manufacturer's number of the weapon, the name, address, and nationality of the purchaser. One copy of said record shall, within seven days, be forwarded to the selectmen of the town or the chief of police of the city and the other copy retained for one year.

Amend Section 13 by striking out the last sentence and inserting in place thereof the following: "Violations of this section shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than one year, or both," so that said section, as amended, shall read as follows:

SECT. 13. No person shall change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark of identification on any pistol or revolver. Possession of any such firearms upon which the same shall have been changed, altered, removed, or obliterated, shall be presumptive evidence that such possessor has changed, altered, removed or obliterated the same. Violations of this section shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than one year, or both.

Further amend by renumbering Sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, so that said section shall read 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15.

The following resolution offered by Mr. Lyford of Concord was presented and adopted:

*Resolved*, That when the House adjourns tomorrow it be to meet on Friday, March 9, at 9.30 o'clock in the morning; that when it adjourns on Friday it be to meet on Monday, March 12th, at 7.30 o'clock in the evening; that when it adjourns on Monday it be to meet on Wednesday, March 14th, at 9.30 o'clock in the morning; that when it adjourns on Wednesday it be to meet on Friday, March 16th, at 9.30 o'clock in the morning, and that when it adjourns on Friday it be to meet on Monday, March 19th, at 7.30 o'clock in the evening.

On motion of Mr. Gagne of Somersworth, business in order at 3 o'clock, was made in order at the present time.

#### THIRD READINGS.

On motion of Mr. Craig of Manchester, it was voted that the third readings be by title.

The following bills were severally read a third time, passed and ordered to the Senate:

House Bill No. 220, An act relating to voting on removal of voter.

House Bill No. 293, An act relating to the issue of bonds by the Town of Hooksett.

House Bill No. 316, An act to authorize towns to raise money toward the support of a resident physician.

On motion of Mr. Roukey of Manchester, at 12.25 the House adjourned.

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#### THURSDAY, MARCH 8, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

#### LEAVES OF ABSENCE.

Messrs. Scruton of Portsmouth, Kendall of Concord, Murdock of Hill, Walker of Hopkinton were granted leave of absence for the day on account of illness.

Messrs. Cox of Manchester, Weston of Hancock, Craig of Manchester were granted leave of absence for the day on account of business.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and Joint resolution, sent up from the House of Representatives:

House Bill No. 67, An act in amendment of Sub-division XIII, Section 10, Chapter 50 of the Public Statutes, relating to powers of City Councils.

House Bill No. 258, An act to incorporate the Monadnock Club of Troy, New Hampshire.

House Bill No. 305, An act to authorize the County of Hillsborough to issue bonds.

House Joint Resolution No. 5, Joint resolution appropriating money for purposes of continuing the work of eradicating Bovine Tuberculosis and other purposes.

The message further announced that the Senate has passed the following bill, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 6 (In New Draft and New Title), An act to amend Chapter 15 of the Session Laws of 1921, An act to insure to the citizens of New Hampshire the benefits of the established standard time.

The following resolution presented by Mr. Lyford of Concord was unanimously adopted:

*Resolved*, That the House extend its sympathy to Raymond B. Stevens of Landaff in his recent affliction and that the clerk of the House be directed to send a copy of this resolution to Mr. Stevens.

#### COMMITTEE REPORTS.

Mr. Colby of Plainfield, for the Committee on Engrossed Bills, reported that the Committee had examined and found correctly engrossed the following entitled bills:



House Bill No. 168, An act relating to the precincts in the City of Concord.

House Bill No. 305, An act to authorize the County of Hillsborough to issue bonds.

The report was accepted.

Mr. Chandler of Conway, for the Committee on Fish and Game, reported the following entitled bill, House Bill No. 317, An act in amendment of Sub-divisions (a) and (c) Section 55, Chapter 133, Laws of 1915, as amended by Section 20, Chapter 184, Laws of 1917, and Section 1, Chapter 146, Laws of 1919, and Section 10, Chapter 140, Laws of 1921, relating to fish and game, with the recommendation that the bill ought to pass.

Read a first time. On motion of Mr. Martin of Concord, it was voted that further action on the bill be indefinitely postponed.

Mr. Barry of Nashua, for the Committee on Appropriations, to whom was referred House Bill No. 41, An act to provide for a revision of the public laws, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 1 by adding at the end thereof the following:

"Instead of causing such revision, codification and amendment to be made by a commission as above provided, the Governor with the advice of the Council is authorized if in their judgment such action may be for the best interests of the State to enter into a contract with a corporation engaged in such business and qualified therefor to revise, codify and amend the Public Laws in the manner above specified and prepared the same for publication and report to the next session of the Legislature; and in connection with such contract to fix the terms and conditions thereof and the price to be paid for such work," so that said section as amended shall read as follows:

SECTION 1. The Governor with the advice of the Council shall as soon as may be appoint a commission consisting of three persons learned in the law whose duty it shall be to revise, codify and amend the public laws of this state

now in force, including those of the present session, and arrange the same according to the form and order of the Public Statutes as far as they deem wise, and prepare the same for publication before the next session of the legislature and make report to said session. The Governor with the advice of the Council shall have authority to fill any vacancy occurring in said commission. The compensation of said commissioners shall be fixed by the Governor and Council and they shall be entitled to receive reimbursement for their expenses. Instead of causing such revision, codification and amendment to be made by a commission as above provided, the Governor with the advice of the Council is authorized if in their judgment such action may be for the best interests of the state to enter into a contract with a corporation engaged in such business and qualified therefor to revise, codify and amend the public laws in the manner above specified and prepared the same for publication and report to the next session of the legislature; and in connection with such contract to fix the terms and conditions thereof and the price to be paid for such work.

Amend Section 2 by striking out after the word "Council" in line 6 the words "contract for printing and binding its report" and insert in place thereof the words "to contract for printing and binding its report and for making an index thereof," so that said section as amended shall read as follows:

SECT. 2. Said commission may appoint a secretary and prescribe his duties; may employ such stenographic and other assistants as they may require; and may fix the compensation of such secretary and such stenographic and other assistants, subject to the approval of the Governor and Council. Said commission is authorized to purchase supplies and with the approval of the Governor and Council to contract for printing and binding its report and for making an index thereof. They shall be assigned suitable office space in the State House or State Library Building.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

On motion of Mr. Lyford of Concord it was voted that the rules be suspended and the bill put on its third reading and passage at this time.

The bill was read a third time, passed and ordered to the Senate for concurrence.

Mr. Cronin of Portsmouth for the Committee on Judiciary, to whom was referred House Bill No. 178, An act to punish frauds on hotelkeepers and others, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Davison of Haverhill for the Committee on Judiciary, to whom was referred House Bill No. 183, An act to define and regulate the lien of hotelkeepers and others, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hutchins of Berlin for the Committee on Judiciary, to whom was referred House Bill No. 184, An act to regulate the liability of hotelkeepers, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Smith of Peterborough for the Committee on Judiciary, to whom was referred House Bill No. 243, An act in amendment of Chapter 145 of the Laws of 1913, entitled: "An act in amendment of Chapter 164 of the Laws of 1911, entitled: 'An act to establish a Public Service Commission,' " reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

On motion of Mr. Callahan of Keene it was voted that the rules be suspended and the first reading of new bills be by title.

Mr. Chandler of Conway for the Committee on Fish and Game, reported the following entitled bill, House Bill No. 318, An act relating to the powers and duties of the Commissioner of Fish and Game, with the recommendation that the bill be printed and recommitted to the Committee on Fish and Game.

Read a first and second time by title, tabled to be printed, and then referred to the Committee on Fish and Game.

Mr. Chandler of Conway, for the Committee on Fish and Game, reported the following entitled bill, House Bill No. 319, An act to amend Section 68, Chapter 133, Laws of 1915, relating to fish and game wardens, with the recommendation that the bill be printed and recommitted to the Fish and Game Committee.

Read a first and second time by title, tabled to be printed, and then referred to Committee on Fish and Game.

Mr. Chandler of Conway, for the Committee on Fish and Game, reported the following entitled bill, House Bill No. 320, An act relating to the taking of minnows for bait, with the recommendation that the bill be printed and recommitted to the Committee on Fish and Game.

Read a first and second time by title, tabled to be printed, and then referred to Committee on Fish and Game.

Mr. Chandler of Conway, for the Committee on Fish and Game, reported the following entitled bill, House Bill No. 321, An act to amend Paragraph (b) Section 15, Chapter 133, Laws of 1915, relating to rabbits, with the recommendation that the bill be printed and recommitted to the Committee on Fish and Game.

Read a first and second time by title, tabled to be printed, and then referred to Committee on Fish and Game.

Mr. Chandler of Conway, for the Committee on Fish and Game, reported the following entitled bill, House Bill No. 322, An act to amend Paragraph (a) Section 16, Chapter 133, Laws of 1915, as amended by Section 11, Chapter 152, Laws of 1919, relating to gray squirrels, with the recommendation that the bill be printed and recommitted to the Committee on Fish and Game.

Read a first and second time by title, tabled to be printed, and then referred to Committee on Fish and Game.

Mr. Chandler of Conway, for the Committee on Fish and Game, to whom was referred House Bill No. 120, An act in amendment of the fisheries and game laws, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Chandler of Conway, for the Committee on Fish and Game, to whom was referred House Bill No. 260, An act to close north river pond for fishing through the ice for a term of five years, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Gilchrist of Henniker for the Committee on Public Improvements, to whom was referred House Bill No. 233, An act to establish a permanent highway from the Daniel Webster Highway at Squam Bridge, so-called, in the Town of Holderness, to the Merrimack Valley Road in the Town of Moultonborough, reported the same with the following resolution:

*Resolved*, That it be referred to the next legislature.

The report was accepted and the resolution of the committee adopted.

Mr. De Moulpied of Manchester for the Special Committee consisting of the Manchester Delegation, to whom was referred House Bill No. 166, An act in relation to the construction of curbing along the streets in the City of Manchester, reported the same in new draft with the recommendation that the bill in its new draft ought to pass.

Read a first and second time by title, tabled to be printed and then be taken up in its regular order.

On motion of Mr. Smith of Manchester it was voted that the printing of the bill be dispensed with.

On motion of Mr. Smith of Manchester it was voted that

the rules be suspended so far as to allow the introduction of a bill by the Special Committee of the Manchester Delegation.

Mr. De Moulpied of Manchester for the Special Committee consisting of the Manchester Delegation, reported the following entitled bill, House Bill No. 323, An act relative to open air concerts in the City of Manchester, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Kenney of Manchester, the rules were suspended, printing dispensed with, and the bill put on its third reading and passage at this time.

The bill was then read a third time, passed, and ordered to the Senate for concurrence.

On motion of Mr. Smith of Manchester the rules were suspended and House Bill No. 166 put on its third reading and passage at this time.

The bill was then read a third time, passed, and ordered to the Senate for concurrence.

Mr. Griffin of Berlin for the Committee on Roads, Bridges and Canals, reported the following entitled bill, House Bill No. 324, An act to establish a continuous highway from the East Side Road at Gorham to the State line at Gilead, Maine, with the recommendation that the bill be printed and recommitteed to the Committee on Roads, Bridges and Canals.

Read a first and second time by title, tabled to be printed, and then referred to the Committee on Roads, Bridges and Canals.

Mr. Griffin of Berlin for the Committee on Roads, Bridges and Canals, reported the following joint resolution, House Joint Resolution No. 53, Joint resolution for the improvement of the Main Road leading from Effingham Falls to South Effingham, with the recommendation that the joint resolution be printed and referred to the Committee on Appropriations.

Read a first and second time, tabled to be printed, and referred to the Committee on Appropriations under the rules.

Mr. Griffin of Berlin, for the Committee on Roads, Bridges and Canals, to whom was referred House Joint Resolution No. 16, Joint resolution for the repair and improvement of Tibbetts Hill and Tumbledown Dick roads in the Town of Brookfield, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the resolution, on motion of Mr. Hoyt of Sandwich, recommitted to the Committee on Roads, Bridges and Canals.

Mr. Lord of Manchester, for the Committee on Appropriations, reported the following entitled House Joint Resolution No. 54, Joint resolution in favor of the estate of William B. Deal, with the recommendation that the Joint resolution ought to pass.

Read a first and second time. On motion of Mr. Lord of Manchester, it was voted that the rules be suspended, the printing of the Joint resolution dispensed with, and the Joint resolution put on its third reading and passage at this time.

The Joint resolution was then read a third time, passed and ordered to the Senate for concurrence.

Mr. Hardy of Hollis, for the Committee on Agriculture, having considered the subject, reported the following entitled bill, House Bill No. 325, An act to regulate the sale of grain, with the recommendation that the bill be printed and recommitted to the Committee on Agriculture.

Read a first and second time by title, tabled to be printed, then referred to Committee on Agriculture.

Mr. Hardy of Hollis, for the Committee on Agriculture, to whom was referred House Bill No. 95, An act relating to the by-products of creameries, cheese factories, milk plants, skimming stations, condensing plants, and other milk processing plants, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hardy of Hollis, for the Committee on Agriculture, to whom was referred House Bill No. 302, An act to regulate

the shipment of live stock, reported the same, in new draft, with the recommendation that the bill in its new draft ought to pass.

Read a first and second time, tabled to be printed and then to be taken up in its regular order.

#### REGULAR ORDER.

Pursuant to a vote taken March 6, House Bill No. 93, An act providing for the election of selectmen, with the report of Committee on Revision of Statutes, inexpedient to legislate, and amendment offered by Mr. Hoyt of Sandwich, was taken up.

On motion of Mr. Hoyt of Sandwich, it was voted that the bill with the report and amendment be made a Special Order for March 20, at 11.01.

Senate Bill No. 6 was read a first and second time and referred to the Committee on Judiciary.

#### SPECIAL ORDER.

Mr. Callahan of Keene called for the Special Order for 11.01, it being the resolution of Mr. Aiken of Franklin with reference to a fact-finding commission on the forty-eight hour law.

On motion of Mr. Callahan of Keene, it was voted that the resolution be made a Special Order for March 20, at 11.02.

The House, on motion of Mr. Bass of Peterborough, then took a recess.

(After Recess.)

On motion of Mr. Martin of Concord, at 1.23 the House adjourned.

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FRIDAY, MARCH 9, 1923.

The House met at 9.30 o'clock.

The Speaker, at 9.31, adjourned the House.



MONDAY, MARCH 12, 1923.

The House met at 7.30 o'clock.

The Speaker, at 7.31, adjourned the House.

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WEDNESDAY, MARCH 14, 1923.

The House met at 9.30.

The Speaker, at 9.31, adjourned the House.

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FRIDAY, MARCH 16, 1923.

The House met at 9.30.

On motion of Mr. Phillips of Concord, at 9.31 the House adjourned.

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MONDAY, MARCH 19, 1923.

The House met at 7.30.

On motion of Mr. Jones of Alton, at 7.31 the House adjourned.

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TUESDAY, MARCH 20, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

Mr. Earl W. Howard, Representative from Piermont, vice Mr. Deal, deceased, having duly qualified before His Excellency the Governor, appeared and took his seat.

PETITIONS INTRODUCED AND REFERRED.

By Mr. Sibley of Manchester, petition of citizens of Manchester against change in Sunday Laws.

By Mr. Hardy of Ashland, petition of citizens of Ashland against change in Sunday Laws.

Referred to Committee on Revision of Statutes.

## RESOLUTION PRESENTED.

Mr. Murdock of Hill offered the following resolution:

*Resolved*, by the House of Representatives in General Court assembled:

That the State Board of Health be requested and directed to submit to the Senate and House of Representatives in General Court assembled the report on its operations in protection of maternity and infancy under the provisions of Chapter 151, Laws of 1921, in accordance with the provisions of Section 4 of said Chapter.

Such report to contain full accounts of all receipts and expenditures and all important correspondence with the Children's Bureau of the United States Department of Labor in relation to work under the Sheppard-Towner Act in New Hampshire.

The resolution was adopted.

## MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 73 (New Draft), An act in amendment of Section 13 of Chapter 191 of the Public Statutes, relating to Suits by and against Administrators.

The message further announced that the Senate has voted to concur with the House of Representatives in the passage of the following bills:

House Bill No. 304, An act to legalize the issue of serial notes or bonds of the County of Grafton.

House Bill No. 10 (New Draft), An act authorizing the School District of Gorham to incur a limited amount of indebtedness to acquire land and construct, equip and furnish a High School building thereon.

House Bill No. 85, An act to regulate the use of water in Silver Lake in Madison.

House Bill No. 86, An act amending Section 10 of Chapter

79 of the Public Statutes, enabling towns and village districts to establish Boards of Sewer Commissioners.

#### ORDER VACATED.

On motion of Mr. Lord of Manchester, it was voted that the order by which House Bill No. 259, An act relating to intoxicating liquors, was referred to the Committee on Appropriations, be vacated, and the bill recommitted to the Committee on Liquor Laws for amendment.

#### LEAVES OF ABSENCE.

Messrs. Newton of Franklin and Cobleigh of Nashua were granted leave of absence for the week on account of business.

Messrs. Wheelwright of Webster, Merrill of Hudson and Mortenson of Gorham were granted leave of absence for the day on account of business.

Messrs. Bridgman of Hanover, Maguire of Manchester and Rollins of Andover were granted leave of absence for the week on account of illness.

#### COMMITTEE REPORTS.

Mr. Colby of Plainfield for the Committee on Engrossed Bills reported that the committee have examined and found correctly engrossed the following entitled bills and resolution:

House Bill No. 10, An act authorizing the School District of Gorham to incur indebtedness to a certain limited amount for the purpose of acquiring land and constructing thereon and equipping and furnishing a High School building.

House Bill No. 62, An act to amend the Charter of The Nashua Protestant Home for Aged Women.

House Bill No. 67, An act in amendment of Subdivision XIII, Section 10, Chapter 50, of the Public Statutes, relating to powers of City Councils.

House Bill No. 86, An act amending Section 10 of Chapter 79 of the Public Statutes, enabling towns and village districts to establish Boards of Sewer Commissioners.

House Bill No. 91 (In New Draft and Title), An act in amendment of Chapter 7 of the Session Laws of 1907, concerning holidays.

House Bill No. 101, An act to regulate the issuing of hunting licenses.

House Bill No. 112, An act in amendment of Chapter 268 of the Laws of 1889, entitled: "An act to incorporate the Woodsville Guaranty Savings Bank."

House Bill No. 229, An act in amendment of Chapter 305, Laws of 1909, entitled: "An act to revise the Charter of the City of Concord," and Chapter 245, Laws of 1919, in amendment thereof.

House Bill No. 250, An act to legalize the Biennial Election held on the seventh day of November 1922, in the Town of Alton.

House Bill No. 258, An act to incorporate the Monadnock Club of Troy, New Hampshire.

House Bill No. 288, An act in relation to migratory birds.

House Bill No. 289, An act in relation to the issuing of hunting licenses.

House Bill No. 292, An act relating to the Charter of the Gordon-Nash Library in New Hampton.

House Bill No. 304, An act to legalize the issue of serial notes or bonds of the County of Grafton.

House Joint Resolution No. 5, Joint resolution appropriating money for purposes of continuing the work of eradicating bovine tuberculosis and controlling and suppressing contagious and infectious diseases among domestic animals.

The report was accepted.

Mr. Duncan of Jaffrey for the Committee on Ways and Means, to whom was referred House Bill No. 179, An act declaring billboards to be taxable, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Duncan of Jaffrey for the Committee on Ways and Means, to whom was referred House Bill No. 186, An act

in amendment of Chapter 55 of the Laws of 1919 as amended by Chapter 120 of the Laws of 1921, relating to permit fees on motor vehicles, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Duncan of Jaffrey for the Committee on Ways and Means, to whom was referred House Bill No. 157, An act in amendment of Section 1 of Chapter 56 of the Public Statutes, relating to the taxation of persons and property, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 1 by striking out in line 4 after the word "poll" the ",", so that said section, as amended shall read as follows:

SECTION 1. Strike out Section 1 of Chapter 56 of the Public Statutes and substitute therefor the following: "Section 1. Every person shall be taxed in the town in which he is an inhabitant or resident on the first day of April, for his poll and for his estate as it exists on that day before the transaction of any business, except in cases otherwise provided by law."

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Jewett of Laconia for the Committee on Judiciary, reported the following House Bill, House Bill No. 326, An act in amendment of chapter 220 of the Laws of 1917 entitled: "An act relating to the salaries of certain State officials, in amendment of Section 11, Chapter 286 of the Public Statutes," with the recommendation that the bill ought to pass.

Read a first and second time, tabled to be printed, and referred to the Committee on Appropriations under the Rules.

Mr. Eaton of Nashua for the Committee on Judiciary, reported the following House Bill, House Bill No. 327, An act authorizing the appointment of a State Fuel Administrator, with the recommendation that the bill ought to pass.

Read a first and second time, tabled to be printed, and referred to the Committee on Appropriations under the Rules.

Mr. Lyford of Concord for the Committee on Judiciary, reported the following House Bill, House Bill No. 328, An act to amend Section 1 of Chapter 159 of the Laws of 1921, relating to the purchase of legislative supplies, with the recommendation that the bill ought to pass.

Read a first and second time, tabled to be printed, and taken up in the regular order.

Mr. Jewett of Laconia for the Committee on Judiciary, reported the following House Bill, House Bill No. 329, An act in amendment of Chapter 118 of the Session Laws of 1921, entitled: "An act to equalize the salaries of certain State officials and establish maximum salary limits," with the recommendation that the bill ought to pass.

Read a first and second time, tabled to be printed, and referred to the Committee on Appropriations under the rules.

Mr. Duncan of Jaffrey for the Committee on Ways and Means, to whom was referred House Bill No. 102, An act to amend Section 1 of Chapter 40 of the Laws of 1911, relating to taxation or assessment of land, reported the same in new draft with the recommendation that the bill in its new draft ought to pass.

Read a first and second time, tabled to be printed, and taken up in the regular order.

Mr. Duncan of Jaffrey for the Committee on Ways and Means, to whom was referred House Bill No. 215, An act in amendment of Chapter 139 of the Laws of 1919 as amended by Chapter 23 of the Laws of 1921, relating to the taxation of street railways, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend Section 1 by adding at the end thereof the following: "and shall remain in force until September 15, 1925" so that said section as amended shall read as follows:

SECTION 1. Chapter 139 of the Laws of 1919 as amended by Chapter 23 of the Laws of 1921 is hereby amended by

striking out Section 4 of said act as amended and inserting in place thereof the following:

SECT. 4. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage, and shall remain in force until September 15, 1925.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Martin of Concord for the Committee on Judiciary, reported the following entitled bill, House Bill No. 330, An act to authorize the Town of Lebanon to increase its bonded debt, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Martin of Concord, the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

On motion of Mr. Nourse of Littleton it was voted that the rules be so far suspended as to allow the Special Committee of the Grafton County Delegation to introduce a bill. In pursuance to that vote Mr. Davison of Haverhill for the Special Committee consisting of the Grafton County Delegation, reported the following entitled bill, House Bill No. 331, An act in amendment of Subdivision (a) Section 28, Chapter 133, Laws of 1915, as amended by Section 13, Chapter 184, Laws of 1917, and Section 1, Chapter 89, Laws of 1921, relative to the taking and possession of brook trout, with the recommendation that the bill ought to pass.

Read a first and second time, tabled to be printed, and taken up in the regular order.

Mr. Hoyt of Francestown for the Committee on State Hospital, to whom was referred House Joint Resolution No. 27, Joint resolution providing for extraordinary repairs and replacements at the New Hampshire State Hospital, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Comings of Lee for the Committee on Agricultural College, to whom was referred House Joint Resolution No. 44, Joint resolution appropriating money for the New Hampshire College of Agriculture and the Mechanic Arts, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Lyford of Concord for the Committee on Judiciary, to whom was referred House Bill No. 240, An act in amendment of Sections 7 and 9, Chapter 116 of the Laws of 1895, and consolidating the offices of Secretary of the State Board of Health and Secretary and Clerk of the State Board of Charities and Corrections, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lyford of Concord of the Committee on Judiciary to whom was referred House Bill No. 177, An act transferring the powers and duties of the commissioner of weights and measures to the office of the attorney general, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

#### SPECIAL ORDER

Mr. Hoyt of Sandwich called for the Special Order for 11.01 it being House Bill No. 93, An act providing for the election of selectmen, the report of the Committee on Revision of Statutes, and the amendment proposed by Mr. Hoyt of Sandwich and the resolution inexpedient to legislate.

The question being on the adoption of the report of the Committee.

(Discussion ensued.)



Mr. Hutchins of Berlin called for the previous question.

The question being: Shall the main question now be put? the vote was in the affirmative.

The question being: Shall the resolution of the Committee be adopted? on a *viva voce* vote the Speaker was in doubt.

Mr. Hoyt of Sandwich called for a division, and a division being had the vote was manifestly in the negative.

On motion of Mr. Hoyt of Sandwich it was voted that the printed bill, with the amendment proposed by Mr. Hoyt be substituted for the original bill.

On motion of Mr. Kenney of Manchester the printed bill was recommitted to the Committee on Revision of Statutes.

On motion of Mr. Callahan of Keene it was voted that the House take a recess of one hour.

(After recess.)

On motion of Mr. Lyford of Concord it was voted that the House request a further conference with the Honorable Senate with reference to House Bill No. 73 (New Draft), An act in amendment of Section 13 of Chapter 191 of the Public Statutes, relating to suits by and against administrators, in the passage of which the Honorable Senate refuses to concur, the conferees to be appointed by the Speaker.

Pursuant to that vote the Speaker appointed Messrs. Lyford and Martin of Concord, and Eaton of Nashua, as the House conferees.

#### MEMBER SEATED.

Mr. Meader of Rochester, having duly qualified before His Excellency the Governor, appeared and took his seat.

#### SPECIAL ORDER.

Mr. Aiken of Franklin called for the Special Order for 11.02 it being his Resolution with reference to a fact-finding commission on the forty-eight hour law.

(Discussion ensued.)

The question being on the adoption of the resolution. A *viva voce* vote was in the negative.

Mr. Aiken of Franklin called for a division, and a division was had with the following result: For the resolution: 82, against the resolution: 156, and the resolution failed of passage.

On motion of Mr. Lyford of Concord at 2.59 the House adjourned from the morning session.

### AFTERNOON.

The House met at 3 o'clock.

### THIRD READINGS.

House Bill No. 165, An act amending Chapter 147 of the Laws of 1917, relating to intoxicating liquors.

Read a third time.

Mr. Callahan of Keene, moved that the bill be put back on its second reading and recommitted to the Committee on Liquor Laws.

Mr. Martin of Concord, moved to indefinitely postpone the bill, the vote was in the affirmative, and the bill indefinitely postponed.

House Bill No. 26, An act to control the possession, sale, and use of pistols and revolvers.

Read a third time by title on motion of Mr. Callahan of Keene, under a suspension of the rules.

On motion of Mr. Stevens of Landaff, it was voted that the bill be laid upon the table.

### UNFINISHED BUSINESS.

Mr. Lyford of Concord, called for the unfinished business, it being the contested election in Concord, Ward 7, and moved that the matter be made a Special Order for to-morrow at 11.01.

Mr. Duncan of Jaffrey, called for a division and a division was had, with the following result:

For the motion: 98.

Against the motion: 40.

No quorum being present the vote was of no effect, and the Speaker declared the House adjourned at 4.10.

## WEDNESDAY, MARCH 21, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

## MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announce that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 138 An act, to Prohibit Fishing Through the Ice in the Town of Stoddard.

House Bill No. 160, An act permitting the Collection of Birds, their Nests and Eggs, Wild Animals and Fish, for Scientific Purposes.

House Bill No. 247, An act in Amendment of Chapter 133, Laws of 1915, as Amended by Chapter 184, Laws of 1917 and as Amended by Chapter 153, Laws of 1919, Relating to Fish and Game.

## LEAVES OF ABSENCE.

Mr. Mortenson of Gorham was granted leave of absence for the week on account of business.

Messrs. Ploss of Manchester, Craig of Manchester and Bouchard of Manchester were granted leave of absence for the day on account of business.

Messrs. Dewing of Alstead, Godbout of Manchester were granted leave of absence for the week on account of illness.

## RESOLUTION PRESENTED.

The following Resolution was presented by Mr. Stevens of Landaff:

*Resolved*, That the Speaker of this House be and hereby is directed to obtain from the Justices of the Supreme Court their opinion upon the following questions:—

Would any Constitutional provision be violated by imposing a tax,—

(1) Upon income derived as dividends and interest from

stocks, bonds and other interest bearing credits and indebtedness, except savings banks deposits, at the average rate of taxation determined as now by law required when applied to the property of railroads, telegraph companies, etc.?

(2) Upon income described above, at any reasonable rate so long as the same rate is applied to all such income taxed?

In propounding the foregoing questions it is to be assumed that any law enacted would provide for exemptions of nontaxable securities required by the Federal Constitution or statutes enacted thereunder, or required by any state contracts of exemption which may not lawfully be impaired,—that it would provide for the taxation of national bank stock or the income therefrom in such manner only as Congress has permitted,—and, further, that it might provide for exemption of income up to a certain reasonable amount.

(3) Upon gasoline or motor vehicle fuels of like nature sold in this state, at the flat rate, for example, of two cents on every gallon sold, or an excise tax on the sale of gasoline.

In propounding the question under (3) it is to be assumed that the revenue derived would be expended for the protection, care, maintenance, repair or construction of highways, and that the law would not attempt to interfere with interstate commerce.

(4) Would any constitutional provision be violated by substituting for the existing flat rate of five per cent a series of rates, graduated or progressive according to the amount of property which passes by will or inheritance to “collaterals” as they are described in that part of Section 1, Chapter 37, Laws of 1919, which reads,—“and all such property which shall pass to or for the use of any other person . . . shall be subject to a tax of five per cent of its value for the use of the state?”

The question being on the adoption of the resolution, discussion ensued.

Mr. Fernald of Dover, moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being on the adoption of the resolution, the vote was in the affirmative.

#### COMMITTEE REPORTS.

Mr. Harris of Orford for the Committee on Education, to whom was referred House Bill No. 257, An act in regulation of the purchase of supplies for Public Schools, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred Senate Bill No. 5, An act relating to the fees of sheriffs and deputy sheriffs, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Quinn of Manchester for the Committee on Revision of Statutes, to whom was referred House Bill No. 128, An act in amendment of Section 1 of Chapter 25 of the Public Statutes, relative to the election of County Commissioners, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred House Bill No. 194, An act in relation to guardians, being in amendment of Chapter 178 of the Public Statutes, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred House Bill No. 213, An

act in amendment of the Charter of the Trustees of the Orphans Home of Concord, approved June 26, 1874, as amended by An act approved March 10, 1897, and in amendment of An act to exempt the Orphans' Home of Concord, New Hampshire, from taxation, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred House Bill No. 224, An act in amendment of Section 25 of Chapter 119 of the Laws of 1921 relating to the weighing of motor vehicles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred House Bill No. 265, An act to prohibit the wearing of masks and disguises in public, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

On motion of Mr. Keleher of Berlin, it was voted that the bill be recommitted to the Committee on Revision of Statutes.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred House Bill No. 268, An act relative to the payment of money, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred House Bill No. 275, An act relating to motor vehicles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Yantis of Manchester for the Committee on Public Health, to whom was referred House Bill No. 94, An act to maintain the purity of butter, cream and dairy products, reported the same with the following amendment previously offered with the recommendation that the bill as amended ought to pass.

Amend Section 1 by inserting after the word "corporation" in line 1 the following: "with intent to deceive", so that said section, as amended, shall read as follows:

SECTION 1. No person, firm or corporation with intent to deceive shall use in any way, in connection or association with the sale or exposure for sale or advertisement of any substance designed to be used as a substitute for butter, the word "butter", "cream", "dairy", "cow", or the name or representation of any breed of dairy cattle, or any combination of such word or words and representation, or any other words or symbols or combination thereof commonly used in the sale of butter.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Yantis of Manchester for the Committee on Public Health, to whom was referred House Bill No. 14, An act in amendment of Chapter 80 of the Laws of 1907, relating to marriages, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. Martin of Concord, it was voted that the bill be laid on the table.

Mr. Barry of Nashua for the Committee on Judiciary, to whom was referred House Bill No. 143, An act relating to the supervision of police affairs in cities, reported the same with the recommendation that the bill ought to pass.

The undersigned members of the Committee on Judiciary, to whom was referred House Bill No. 143, An act relating to the supervision of police affairs in cities, and being unable

to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

JAMES O. LYFORD,  
THEO. S. JEWETT,  
R. M. WRIGHT,  
H. K. DAVISON,  
BERNARD JACOBS,  
IVORY C. EATON.

Mr. Lyford of Concord moved that the report of the minority be substituted for that of the majority, and the bill with the accompanying reports and the motion pending, be made a Special Order for Tuesday next, at 11.01.

The motion was carried.

Mr. Smith of Peterborough for the Committee on Judiciary, to whom was referred Senate Bill No. 6, An act to amend Chapter 15 of the Session Laws of 1921, "An act to insure to the citizens of New Hampshire the benefits of the established standard time," reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Wright of Sanbornton for the Committee on Judiciary, to whom was referred Senate Bill No. 7, An act in relation to the foreclosure of power of sale mortgages of real estate, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

On motion of Mr. Barry of Manchester, it was voted that the bill be recommitted to the Committee on Judiciary.

Mr. Jewett of Laconia for the Committee on Judiciary, to whom was referred Senate Bill No. 8, An act in relation to receptors for property under attachment, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.



The report was accepted and the resolution of the committee adopted.

Mr. Nyberg of Manchester for the Committee on Judiciary, to whom was referred Senate Bill No. 14, An act to amend Section 21 of Chapter 287 of the Public Statutes, as amended by Section 1 of Chapter 78, Laws of 1907, and Section 1 of Chapter 136, Laws of 1919, relating to pay of jurors, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

#### BILL TAKEN FROM THE TABLE.

House Bill No. 302, An act to regulate the shipment of live stock, having been printed was taken from the table.

On motion of Mr. Fernald of Dover, it was voted that the bill be recommitted to the Committee on Agriculture.

#### REPORT OF COMMITTEE.

On motion of Mr. Davison of Haverhill, it was voted that the rules be suspended and the report of the Committee on Appropriations be received on House Joint Resolution No. 40.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 40 (New Draft), Joint resolution in aid of the Town of Haverhill in building a bridge across the Connecticut River, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution ordered to a third reading.

On motion of Mr. Davison of Haverhill, the rules were further suspended, the Joint resolution read a third time, passed and sent to the Senate for concurrence.

#### UNFINISHED BUSINESS.

Mr. Lyford of Concord called for the unfinished business, it being the election in Concord Ward 7, the contestants being Mr. Kelly and Mr. Carleton who now holds the seat.

On motion of Mr. Lyford of Concord, it was voted that the matter be made a Special Order for Wednesday next, at 11.01.

On motion of Mr. Kenney of Manchester, at 1.10 the House adjourned for the day.

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THURSDAY, MARCH 22, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

LEAVES OF ABSENCE.

Mr. Farnsworth of Washington was granted leave of absence for the day on account of business.

Mr. Frazer of Monroe was granted leave of absence for week of March 27-30, on account of business.

Messrs. Hartford of Manchester and Chellis of Grafton were granted leave of absence for the day on account of illness.

MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announce that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 57 (New Draft and New Title), An act in amendment of Section 1, Chapter 143, Laws of 1913, as amended by Section 1, Chapter 14, Laws of 1915, relating to the Control of Self-hunting Dogs.

The message further announced that the Senate has passed the following Joint resolutions, in the passage of which it asks the concurrence of the House of Representatives:

Senate Joint Resolution No. 5, Joint resolution providing for a Fact-finding Commission relative to Proposed Legislation as to Hours of Labor.

Senate Joint Resolution No. 6, Joint resolution in favor of Changing the Name of the Highway known as "East Side Road" to "The Wentworth Highway".

The message further announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and Joint resolutions, sent up from the House of Representatives:

House Bill No. 330, An act to authorize the Town of Lebanon to Increase its Bonded Debt.

House Joint Resolution No. 40 (New Draft), Joint resolution in Aid of the Town of Haverhill in Building a Bridge across the Connecticut River.

The message further announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 73 (In New Draft), An act in amendment of Section 13, Chapter 191 of the Public Statutes relating to Suits, by and against Administrators; and the President has appointed on the part of the Senate, Senators Ripley, Brown and Osgood.

#### COMMITTEE REPORTS.

Mr. Fernald of Dover voted that the first readings of new bills be by title and the vote was in the affirmative.

Mr. Kidder of Rumney for the Committee on Forestry, to whom was referred House Bill No. 310, An act in amendment of Section 13, Chapter 128, Laws of 1909, as amended by Chapter 166, Laws of 1911, as amended by Chapter 142, Laws of 1915, relating to the burning of brush by permit, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Kidder of Rumney for the Committee on Forestry, to whom was referred House Bill No. 311, An act in amendment of Section 15, Chapter 128, Laws of 1909, as amended by Chapter 166, Laws of 1911, relating to the power of arrest for violation of forest laws, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Kidder of Rumney for the Committee on Forestry,

to whom was referred House Bill No. 312, An act in amendment of Section 1, Chapter 95, Laws of 1911, as amended by Chapter 159, Laws of 1917, relating to the use of spark arresters on portable sawmills, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Kidder of Rumney for the Committee on Forestry, to whom was referred House Joint Resolution No. 50, Joint resolution to provide for a water supply and for improvement of land at the State Forest Nursery, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Kidder of Rumney for the Committee on Forestry, to whom was referred House Joint Resolution No. 51, Joint resolution in favor of the Margaret Pillsbury General Hospital and Dr. James W. Jameson, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Chandler of Conway for the Committee on Fish and Game, to whom was referred House Bill No. 121, An act in amendment of Chapter 133, Part II, Section 17 (a), Laws of 1915, open season on beaver, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Chandler of Conway for the Committee on Fish and Game, to whom was referred House Bill No. 197, An act in amendment of Section 60, Chapter 133, Laws of 1915, relating to fish and game, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Chandler of Conway for the Committee on Fish and Game, to whom was referred House Bill No. 266, An act to increase the bounty on wild-cats, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

On motion of Mr. Nourse of Littleton, it was voted that the bill with the resolution pending be recommitted to the Committee on Fish and Game.

Mr. Chandler of Conway for the Committee on Fish and Game, to whom was referred House Bill No. 299, An act relating to Antwerp or Homing Pigeons, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Chandler of Conway for the Committee on Fish and Game, to whom was referred House Bill No. 300, An act in amendment of Section 47, Chapter 133, Laws of 1915, relating to fish and game, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

On motion of Mr. Smith of Portsmouth, it was voted that the bill with the resolution pending be recommitted to the Committee on Fish and Game.

Mr. Chandler of Conway for the Committee on Fish and Game, to whom was referred House Bill No. 301, An act to authorize permits to kill injurious birds and animals, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Chandler of Conway for the Committee on Fish and Game, reported the following entitled bill, House Bill No. 340, An act in amendment of Section 29, Chapter 133, Laws of 1915, with reference to black bass, with the recommendation that the bill be printed and recommitted to the Committee on Fish and Game.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill was read a first and second time by title,

tabled to be printed, and referred to the Committee on Fish and Game.

Mr. Chandler of Conway, for the Committee on Fish and Game, to whom was referred House Bill No. 141, An act in amendment of Chapter 133, Laws of 1915, relating to fish and game, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title by inserting before the word "chapter" the following "sub-division (b), Section 28" so that said title, as amended, shall read:

An act in amendment of sub-division (b), Section 28, Chapter 133, Laws of 1915, relating to fish and game.

Amend said bill by striking out the whole of Section 1 and inserting in place thereof the following:

SECTION 1. Amend sub-division (b), Section 28, Chapter 133, Laws of 1915, by adding at the end thereof the following: "Except that salmon of not less than ten inches in length may be taken and possessed from the waters of Big Diamond Pond in the County of Coos from May twentieth to September first of any year." So that said sub-division, as amended, shall read as follows:

(b) Salmon not less than fifteen inches in length may be taken and possessed from April first to September first. Except that salmon of not less than ten inches in length may be taken and possessed from the waters of Big Diamond pond in the county of Coos from May twentieth to September first of any year.

On motion of Mr. Chandler of Conway, the bill and proposed amendment was recommitted to the Committee on Fish and Game.

Mr. Chandler of Conway, for the Committee on Fish and Game, to whom was referred House Bill No. 251, An act to amend the fish and game laws, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title by striking out the whole and inserting in place thereof the following:

An act in amendment of sub-division (d), Section 40, Chapter 133, Laws of 1915, relating to fish and game.

Amend said bill by striking out the whole of Section 1 and inserting in place thereof the following:

Section 1. Amend sub-division (d), Section 40, Chapter 133, Laws of 1915, by striking out the whole of said sub-division and inserting in place thereof the following:

(d) The open season for trolling or fishing with hook and line in the open waters of Belknap and Carroll Counties shall be, for salmon and lake trout, from April first to July first.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Davis of Stoddard for the Committee on Claims, reported the following entitled bill, House Bill No. 338, An act to provide that the Highway Commissioners of the City of Manchester be elected by the people, with the recommendation that the bill ought to pass.

On motion of Mr. Fernald of Dover the rules were suspended and read a first and second time by title.

On motion of Mr. Craig of Manchester the printing was dispensed with and the bill referred to a Special Committee consisting of the Manchester Delegation.

Mr. Davis of Stoddard for the Committee on Claims, reported the following Joint resolution, House Joint Resolution No. 56, Joint resolution in favor of Henry Giddis, with the recommendation that the Joint resolution ought to pass.

Read a first and second time.

On motion of Mr. Aiken of Franklin the printing was dispensed with, and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Davis of Stoddard for the Committee on Claims, to whom was referred House Joint Resolution No. 24, Joint resolution in favor of George I. Philbrick, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Davis of Stoddard for the Committee on Claims, to whom was referred House Joint Resolution No. 25, Joint resolution in favor of the City of Concord, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

On motion of Mr. Martin of Concord it was voted that the Joint resolution be laid upon the table.

Mr. Davis of Stoddard for the Committee on Claims, to whom was referred House Joint Resolution No. 42, Joint resolution in favor of Fred C. Hammond, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Gilchrist of Henniker for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 45, Joint resolution for the improvement of a highway leading from Freedom to East Madison, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Gilchrist of Henniker for the Committee on Public Improvements, to whom was referred House Bill No. 313, An act providing for the laying out of a continuous state highway leading from Loudon Village to Lower Gilmanton, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Gilchrist of Henniker for the Committee on Public Improvements, reported the following entitled Bill, House Bill No. 339, An act to establish a highway from the Daniel Webster Highway at Ashland to the highway leading from New Hampton Village to Meredith, with the recommendation that the bill ought to pass.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a first and second time by title, tabled



to be printed, and referred to the Committee on Appropriations under the rules.

Mr. DeMoulpied of Manchester for the Special Committee consisting of the delegation from the city of Manchester, to whom was referred House Bill No. 114, An act to authorize the Parks, Commons and Playgrounds Commission of the city of Manchester to pension employees, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate; subject matter being covered by another bill.

The report was accepted and the resolution of the committee adopted.

Mr. DeMoulpied of Manchester for the Special Committee consisting of the delegation from the city of Manchester, to whom was referred House Bill No. 70, An act in amendment of Chapter 346, Laws of 1913, as amended by Chapter 275, Laws of 1921, "An act authorizing the city of Manchester to provide pensions for firemen," reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate; subject matter being covered by another bill.

The report was accepted and the resolution of the committee adopted.

Mr. DeMoulpied of Manchester for the Special Committee consisting of the Manchester Delegation, to whom was referred House Bill No. 276, An act relating to pensioning of employees of the Water Works Department of the city of Manchester, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 1, by striking out in line 7 the following: "has reached the age of sixty years and has had twenty-five," and inserting in place thereof the following: "has had twenty", so that said section as amended shall read as follows:

"SECTION 1. The Board of Water Commissioners or their successors in office by vote of a majority of its members, may at his own request, or at the request of the Mayor

of said city retire from service for one year, any employee of the Water Works Department, who in the judgment of said department has become disabled for useful service while in the performance of duty; or has had twenty consecutive years service; and may grant a pension to such retired employee for a period not exceeding one year at a time. No employee shall be granted a pension unless it shall be certified to the Water Works Department in writing by the city physician, that such employee is permanently incapacitated from performing his duty as an employee of the department. Consecutive years under the terms of this section shall not be interpreted to disqualify those candidates for pensions who may have been laid off temporarily from work by the department from time to time."

Amend Section 2, by striking out in line 1, the word "Aldermen", and inserting in place thereof the following: "Water Commissioners," so that said section as amended shall read as follows:

"SECT. 2. The Board of Water Commissioners of the City of Manchester may from time to time appropriate sufficient money to carry out the provisions of this act."

Amend Section 3, by striking out in line 2, the following words: "half regular pay" and inserting in place thereof the following: "one-half the average rate for the last five years of service, but in no case shall said pension exceed one thousand dollars," so that said section as amended shall read as follows:

"SECT. 3. The amount of pension granted herein shall be one-half the average rate for the last five years of service, but in no case shall said pension exceed one thousand dollars."

The report was accepted, the amendments adopted, and the bill ordered to a third reading.

Mr. Cobleigh of Nashua, for the Committee on Revision of Statutes, reported the following entitled Bill, House Bill No. 334, An act in amendment of Chapter 33 of the Public Statutes as amended by Section 5, Chapter 78 of the Laws of 1897 relating to the manner of conducting caucuses

and elections, with the recommendation that the bill ought to pass.

On motion of Mr. Doyle of Nashua, the bill was recommended to the Committee on Revision of Statutes.

Mr. Laycock of Laconia, for the Committee on Revision of Statutes, reported the following entitled bill, House Bill No. 333, An act in amendment of Chapter 182, Section 22, of the Public Statutes, with the recommendation that the bill ought to pass.

On motion of Mr. Doyle of Nashua, the bill was recommended to the Committee on Revision of Statutes.

Mr. Quinn of Manchester for the Committee on Revision of Statutes, reported the following entitled bill, House Bill No. 332, An act to provide that the Fire Commissioners of the City of Manchester be elected by the people, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Aiken of Franklin the printing was dispensed with. On motion of Mr. Craig of Manchester the bill was referred to a Special Committee consisting of the Delegation from Manchester.

Mr. Hutchins of Berlin for the Committee on Judiciary, reported the following entitled bill, House Bill No. 335, An act to authorize the County of Coos to issue notes, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Lyford of Concord the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

Mr. Jewett of Laconia for the Committee on Judiciary, reported the following entitled bill, House Bill No. 336, An act to legalize the Town Election held on the 13th day of March 1923, in the Town of Tuftonboro, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Aiken of Franklin the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

Mr. Davison of Haverhill for the Committee on Judiciary, reported the following entitled bill, House Bill No. 337, An act to legalize the vote and action of the Grafton County Delegation, held on the seventh day of March, 1923, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Davison of Haverhill, the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of Mr. Fernald of Dover the rules were further suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

Mr. Swain of Exeter for the Committee on Military affairs, reported the following Joint resolution, House Joint Resolution No. 55, Joint resolution providing for the making of improvements, purchase of property and necessary repairs upon the buildings and grounds of the New Hampshire Veterans' Association at The Weirs, for the fiscal years 1923-1924, and 1924-1925, with the recommendation that the Joint resolution ought to pass.

Read a first and second time.

On motion of Mr. Aiken of Franklin the printing was dispensed with, and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Winant of Concord, for the Committee on Labor, to whom was referred House Bill No. 49, An act to enlarge the powers of the bureau of labor, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Winant of Concord, for the Committee on Labor, to

whom was referred House Bill No. 162, An act to protect against discrimination persons engaged in strikes or lock-outs, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Winant of Concord, for the Committee on Labor, reported the following entitled bill, House Bill No. 341, An act relating to pensions of employees of the city of Manchester, with the recommendation that the bill be referred to the special committee consisting of the Manchester Delegation.

Read a first and second time.

On motion of Mr. Craig of Manchester, the printing was dispensed with and the bill referred to a special committee consisting of the Manchester Delegation.

#### BILL TAKEN FROM THE TABLE.

On motion of Mr. Kenney of Manchester, House Bill No. 26, An act to control the possession sale and use of pistols and revolvers, was taken from the table and re-committed to the Committee on Revision of Statutes.

#### COMMITTEE REPORT.

On motion of Mr. Lord of Manchester, the rules were suspended, to allow the introduction of a report from the Committee on Appropriations.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 34, Joint resolution for establishing a free bridge in the town of Monroe, reported the same with the following resolution:

*Resolved*, That the Joint resolution ought to pass.

The report was accepted and the Joint resolution ordered to a third reading.

On motion of Mr. Lord of Manchester, the rules were further suspended, the Joint resolution read a third time, passed and sent to the Senate for concurrence.

## REGULAR ORDER.

The following bills were taken from the table and disposed of as follows:

House Bill No. 102 (New Draft), An act to amend Section 1 of Chapter 40 of the Laws of 1911, relating to taxation or assessment of land.

Ordered to a third reading.

House Bill No. 328, An act to amend Section 1 of Chapter 159 of the Laws of 1921, relating to the purchase of legislative supplies.

Ordered to a third reading.

House Bill No. 331, An act in amendment of Sub-division (a) Section 28, Chapter 133, Laws of 1915, as amended by Section 13, Chapter 184, Laws of 1917, and Section 1, Chapter 89, Laws of 1921, relative to the taking and possession of brook trout.

On motion of Mr. Nourse of Littleton, the bill was referred to the Committee on Fish and Game.

## SENATE JOINT RESOLUTIONS INTRODUCED.

Senate Joint Resolution No. 5, Joint resolution providing for a fact-finding commission relative to proposed legislation as to hours of labor.

Read a first time.

On motion of Mr. Smith of Manchester, the resolution was indefinitely postponed.

Senate Joint Resolution No. 6, Joint resolution in favor of changing the name of the highway known as the "East Side Road" to "The Wentworth Highway."

Read a first and second time, and referred to the Committee on Public Improvements.

On motion of Mr. Aiken of Franklin, business in order at three o'clock was made in order at this time.

On motion of the same gentleman, the third readings were by title under a suspension of the rules.

## THIRD READINGS.

The following bills were severally read a third time, passed, the House Bills sent to the Senate for concurrence,

and the Senate Bills to the Secretary of State to be engrossed:

Senate Bill No. 14, An act to amend Section 21 of Chapter 287 of the Public Statutes, as amended by Section 1 of Chapter 78, Laws of 1907, and Section 1 of Chapter 136, Laws of 1919, relating to pay of jurors.

Senate Bill No. 5, An act relating to the fees of sheriffs and deputy sheriffs.

House Bill No. 157, An act in amendment of Section 1 of Chapter 56 of the Public Statutes relating to the taxation of persons and property.

House Bill No. 94, An act to maintain the purity of butter, cream and dairy products.

House Bill No. 186, An act in amendment of Chapter 55 of the Laws of 1919 as amended by Chapter 120 of the Laws of 1921, relating to permit fees on motor vehicles.

House Bill No. 215, An act in amendment of Chapter 139 of the Laws of 1919 as amended by Chapter 23 of the Laws of 1921, relating to taxation of street railways.

House Bill No. 213, An act in amendment of the charter of the trustees of the Orphans' Home of Concord, approved June 26, 1874, as amended by An act approved March 10, 1897, and in amendment of An act to exempt the Orphans' Home of Concord, New Hampshire, from taxation.

Mr. Empey of Keene, moved to reconsider the vote by which Senate Joint Resolution No. 5, Joint resolution providing for a fact-finding commission relative to proposed legislation as to hours of labor, was indefinitely postponed, be reconsidered and the resolution with that motion pending be made a Special Order for Tuesday next, at 11.02.

It appearing that there was not a quorum present, the vote taken was of no effect, the matter placed in unfinished business, and the Speaker at 1.17 adjourned the House.

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FRIDAY, MARCH 23, 1923.

The House met at 9.30.

On motion of Mr. Gowitzke of Manchester, at 9.31 the House adjourned.

MONDAY, MARCH 26, 1923.

The House met at 7.30.

The following communication was read:

CONCORD, N. H., March 26, 1923.

MR. WILLIAM A. LEE,  
CONCORD, N. H.

*Dear Mr. Lee:*

It will be impossible for me to attend the evening session today. Will you, in my absence, be so good as to preside?

Yours very truly,

WILLIAM J. AHERN.

On motion of Mr. Wells of Walpole, at 7.31 the House adjourned.

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TUESDAY, MARCH 27, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

#### PETITIONS.

The following petitions relative to Sunday baseball were introduced and referred to the Committee on Revision of Statutes:

By Mr. Garneau of Franklin, Petition of 268 citizens of Franklin for change in Sunday Laws.

By Mr. Steward of Northwood, Petition of Daniel J. Piper of Northwood against change in Sunday Laws.

#### LEAVES OF ABSENCE.

Messrs. Cobleigh of Nashua and Jewett of Laconia were granted leave of absence for the day on account of business.

Mr. Craig of Manchester was granted leave of absence for the week on account of illness in the family.

Messrs. Rollins of Andover and Eaton of Nashua were granted leave of absence for the week on account of illness.



Mr. Nourse of Littleton was granted leave of absence for the day on account of illness.

MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill with amendment in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

House Bill No. 204, An act in amendment of Section 1 of Chapter 96 of the Session Laws of 1901 entitled: "An act relating to High Schools, as amended by Chapter 118, Laws of 1903 as amended by Chapter 16, Laws of 1917."

Amend Section 1 of said bill by striking out the words "seventy-five" in the sixth line and inserting in place thereof the words "sixty-five", and by striking out the words "seventy-five dollars," in the twenty-fourth line and inserting in place thereof the words "sixty-five dollars and in senior high school work only"; so that said section as amended shall read as follows:

SECTION 1. Section 1 of Chapter 96 of the Session Laws of 1901 entitled "An act relating to high Schools," as amended by Chapter 118 of the Session Laws of 1903 as amended by Laws of 1917, Chapter 16, is hereby amended by striking out the words "fifty-five" in the last line of the section and substituting the words "sixty-five", so that said section as amended shall read as follows:

SECTION 1. Any town not maintaining a high school or school of corresponding grade shall pay for the tuition of any child who with parents or guardian resides in said Town and who attends a high school or academy in the same or another town or city in this State, and the parent or guardian of such child shall notify the school board of the district in which he resides of the high school or academy which he has determined to attend: *Provided, However*, that no town shall be liable for tuition of a child in any school in excess of the average cost per child of instruction for the regularly employed teachers of that school and the cost of text books,

supplies and apparatus during the school year preceding, nor in any case shall the town be liable for tuition for any child in excess of sixty-five dollars and in senior high school work only.

The message further announced that the Honorable Senate has voted to request a Committee of Conference to further consider Senate Bill No. 6 (New Draft and New Title), An act to amend Chapter 15 of the Session Laws of 1921, "An act to insure to the citizens of New Hampshire the Benefits of established standard time," in the passage of which the House has refused to concur; and pursuant to the vote the President has appointed the following named Senators, Tripp, Ham and Jacquith as conferees on the part of the Senate.

The message further announced that the Senate has voted to request a Committee of Conference to further consider Senate Bill No. 8, An act in relation to receiptors for property under attachment, in the passage of which the House has refused to concur; and pursuant to the vote the President has appointed the following named Senators, Osgood, Branch and Hammond as conferees on the part of the Senate.

#### COMMITTEE REPORTS.

Mr. Converse of Lyme, for the Committee on Engrossed Bills reported that the Committee have examined and found correctly engrossed the following entitled Joint resolution and bills.

House Joint Resolution No. 40 (New Draft), Joint resolution in aid of the Town of Haverhill in building a bridge across the Connecticut River.

House Bill No. 138, An act to prohibit fishing through the ice in the Town of Stoddard.

House Bill No. 330, An act to authorize the Town of Lebanon to increase its bonded debt.

The report was accepted.

Mr. Duncan of Jaffrey, for the Committee on Ways and Means, to whom was referred House Bill No. 234, An act in amendment of Chapter 70 of the Laws of 1921, entitled

"An act imposing a tax upon the transfer at death of the personal property of non-residents," reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Duncan of Jaffrey, for the Committee on Ways and Means, to whom was referred House Bill No. 235, An act in amendment of Chapter 72 of the Laws of 1921, amending Chapter 40 of the Laws of 1905 and amendments thereto, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Duncan of Jaffrey, for the Committee on Ways and Means, to whom was referred House Bill No. 18, An act in amendment of Chapter 4 of the Special Session Laws of 1919, relating to poll tax, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Duncan of Jaffrey, for the Committee on Ways and Means, to whom was referred House Bill No. 42, An act in amendment of Chapter 55 of the Public Statutes as amended by Chapter 82 of the Laws of 1913 and Chapter 91 of the Laws of 1919 and Chapter 4 of the Special Session of 1919, relating to poll tax, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter being covered by another bill favorably reported by the committee.

The report was accepted and the resolution of the committee adopted.

Mr. Stevens of Landaff, for the Committee on Ways and Means, reported the following bill, House Bill No. 346, An act relating to the taxation of national bank stock, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Stevens of Landaff, the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

Mr. Duncan of Jaffrey for the Committee on Ways and Means, to whom was referred House Bill No. 263, An act in amendment of Chapter 55 of the Public Statutes as amended by Chapter 82 of the Laws of 1913, Chapter 91 of the Laws of 1919, and Chapter 4 of the Laws of 1919 (Special Session) relating to poll tax, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject-matter being covered by another bill favorably reported by the committee.

The report was accepted and the resolution of the committee adopted.

Mr. Craig of Manchester for the Special Committee on Manchester Delegation, to whom was referred House Bill No. 341, An act relating to pensioning of employees of the City of Manchester, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Smith of Manchester the rules were suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

Mr. Griffin of Berlin for the Committee on Roads, Bridges and Canals, to whom was referred House Joint Resolution No. 12, Joint resolution for the repair of the Sandwich Notch Road in the Town of Thornton, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Griffin of Berlin for the Committee on Roads, Bridges and Canals, to whom was referred House Joint

Resolution No. 15, Joint resolution for the construction of a highway in the Town of Gorham, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Griffin of Berlin for the Committee on Roads, Bridges and Canals, to whom was referred House Joint Resolution No. 35, Joint resolution for the repair of the highway leading from Dorchester to Lyme, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Griffin of Berlin for the Committee on Roads, Bridges and Canals, to whom was referred House Bill No. 324, An act to establish a continuous highway from the East Side Road at Gorham to the State line at Gilead, Maine, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Griffin of Berlin, for the Committee on Roads, Bridges and Canals, reported the following entitled bill, House Bill No. 344, An act in regard to the maintenance of state aid, trunk line and state roads, with the recommendation that the bill be printed and referred to the Committee on Appropriations.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a first and second time by title, laid on the table to be printed, and referred to the Committee on Appropriations.

Mr. Griffin of Berlin, for the Committee on Roads, Bridges and Canals, to whom was referred House Joint Resolution No. 16, Joint resolution for the repair and improvement of Tibbetts Hill and Tumbledown Dick roads in the Town of Brookfield, reported the same with the

following amendment, and the recommendation that the Joint resolution as amended ought to pass.

Amend the caption by striking out the whole and inserting in place thereof the following:

“Joint Resolution for the repair and improvement of highways in the Town of Brookfield.”

Further amend by striking out all after the enacting clause and inserting in place thereof the following:

“That the sum of one thousand dollars be, and the same is hereby appropriated, provided the Town of Brookfield appropriate a like amount, for the repair and improvement of that portion of the main road between the village of Sanbornville in the Town of Wakefield, and the Village of Wolfeboro in the Town of Wolfeboro, lying in said Town of Brookfield, for the year 1923 and a like sum for the year 1924. The same to be expended under the direction of the Commissioner of Highways and said sums are hereby made a charge upon the maintenance funds, as provided by Section 10, Chapter 35, Laws of 1905.”

The report was accepted, the amendment adopted, and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Griffin of Berlin for the Committee on Roads, Bridges and Canals, to whom was referred House Joint Resolution No. 17, Joint resolution for the improvement of the Shaker Bridge in the Town of Enfield, reported the same with the following amendment, and the recommendation that the Joint resolution as amended ought to pass.

Amend by striking out in line 1 the following: “thirty thousand dollars (\$30,000),” and inserting in place thereof the following: “fifteen thousand dollars (\$15,000),” so that said resolution, as amended, shall read as follows:

That a sum not exceeding fifteen thousand dollars (\$15,000) be and hereby is appropriated for the improvement of what is known as the Shaker Bridge in the Town of Enfield, providing that the Town of Enfield appropriates five thousand dollars (\$5,000) for the same purpose.

The report was accepted, the amendment adopted, and

the Joint resolution referred to the Committee on Appropriations, under the rules.

Mr. Griffin of Berlin for the Committee on Roads, Bridges and Canals, to whom was referred House Joint Resolution No. 18, Joint resolution in favor of repairing Sugar Loaf Road in the Town of Alexandria, reported the same with the following amendment, and the recommendation that the Joint resolution as amended ought to pass.

Amend by striking out the word "five" in line 1 and inserting in place thereof the word "two" so that said resolution as amended shall read as follows:

That the sum of two hundred dollars be and the same hereby is appropriated for the repair of Sugar Loaf Road in the Town of Alexandria for the year 1923, and a like amount for the year 1924, the same to be expended by the selectmen under the direction of the State, and said appropriation shall be a charge upon the appropriation for the permanent improvement of highways made by Section 10, Chapter 35, Laws of 1905.

The report was accepted, the amendment adopted, and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Duncan of Jaffrey for the Committee on Ways and Means, to whom was referred House Bill No. 53, An act in amendment of Chapter 4 of the Laws of 1919 as passed at the Special Session of the Legislature in September 1919, relating to poll taxes, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 2 by striking out the words "and this act shall take effect upon its passage," so that said section as amended shall read:

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

The undersigned being a minority of the Committee on Ways and Means, to whom was referred House Bill No. 53, An act in amendment of Chapter 4 of the Laws of 1919 as passed at the Special Session of the Legislature in Septem-

ber 1919, relating to poll taxes, being unable to agree with the majority, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass. Amend by striking out all after the enacting clause and substituting therefore the following:

An act in amendment of Chapter 55, Section 1, Public Statutes, as amended by Chapter 82, Laws of 1913, as amended by Chapter 91, Laws of 1919, as amended by Chapter 4, Special Session 1919, and in amendment of Section 3 Chapter 1, Special Session 1919, relating to poll taxes.

SECTION 1. Amend Section 1, Chapter 55, Public Statutes and amendments thereto by substituting for the word "three" the word "two," so that said section as amended shall read as follows: "Section 1. A poll tax of two dollars shall be assessed on every inhabitant of the State from twenty-one to seventy years of age, whether a citizen of the United States or an alien, except paupers, insane persons and others exempt by special provisions of law."

SECT. 2. Amend Section 3, Chapter 1, Special Session of 1919, by adding at the end thereof the following:—*"Provided, however, that for the year beginning April 1, 1924 said special poll tax of two dollars shall not be assessed upon women,"* so that said section as amended shall read as follows:—"Section 3. Beginning with April first, 1920, and continuing for a period of five consecutive years there shall be assessed upon all taxable polls, as now or hereafter defined, within the State, a further tax of two dollars in addition to the poll tax now provided, or which may be provided for by law, such additional tax to be assessed, levied and collected in accordance with the law relating to poll taxes. A separate account of such additional tax shall be kept by the various town or city officers and it shall be paid by the several towns and cities to the State Treasurer as the State tax is now paid, to be held by him as a sinking fund from which he shall pay the indebtedness hereby incurred, as the same shall become due. *Provided, however,*



that for the year beginning April 1, 1924 said special poll tax of two dollars shall not be assessed upon women."

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

ROBERT P. BASS, Peterborough,  
JAMES C. FARMER, Newbury,  
FRANK W. ORDWAY, Milford,  
EDWARD J. ROSSITER, Claremont,  
CHARLES W. TOBEY, Temple,  
GEORGE A. WOOD, Portsmouth.

Mr. Bass of Peterborough moved to substitute the report of the minority for that of the majority.

(Discussion ensued.)

Mr. Donnelly of Manchester moved the previous question.

The question being: Shall the main question now be put? the vote was in the affirmative.

The question being on the substitution of the report of the minority for that of the majority, Mr. Lyford called for a division, and a division was had with the following result:

For the substitution—173.

Against the substitution—173.

Mr. Callahan of Keene called for the Yeas and Nays, and the roll was called with the following result:

YEAS, 172.

ROCKINGHAM COUNTY.—Wheeler of Atkinson, Pike, Tenney of Chester, Johnson of Danville, White, Knights, Batchelder, Field, Merrill of Exeter, Swain, Daniell, Randall, Hobbs, Farmer of Hampton Falls, Blodgett, Bartlett of Kingston, Kent, Littlefield, Dow of North Hampton, Steward, Smith of Portsmouth, Trafton, Wood of Portsmouth, Cox of Portsmouth, Rand, Coles, Cowan, Dow of Windham.

STRAFFORD COUNTY.—Cloutman, Reynolds, Webb, Fogg,

Smith of Farmington, Stevens of Milton, Meader, Chesley, Lowe, Preston.

BELKNAP COUNTY.—Smith of Belmont, Sanborn of Center Harbor, Weeks of Gilford, Avery, Merrill of Laconia, Badger, Holt, Roberts of Meredith, Gordon of New Hampton, Wright.

CARROLL COUNTY.—Willey, Currier of Conway, Ela, Chick, Blanchard, Smart, Hoyt of Sandwich, Clow, Hale.

MERRIMACK COUNTY.—Grimes, Albee, Robinson of Concord, Lyford, Newton of Concord, Cressy, Kendall, Martin of Concord, Roby, King of Concord, Winant, Aiken, Gilchrist, Murdock, Cutting, Carter, Wells of Sutton.

HILLSBOROUGH COUNTY.—Flint, Clark of Bedford, Balch, Davis of Goffstown, Weston, Butler, Childs, Hardy of Hollis, Merrill of Hudson, Spaulding of Hudson, Putnam, Cilley, Cronan, Dodge of Manchester, Bartlett of Manchester, Cox, DeMoulied, Lord of Manchester, Yantis, Grant, Gordon of Merrimack, Lovejoy, Ordway, Robinson of Milford, Wheeler of Nashua, Winslow, Pentland, Christie, Walker of New Ipswich, Carleton of Pelham, Bass, Smith of Peterborough, Tobey.

CHESHIRE COUNTY.—Dewing of Alstead, Spring, Garfield, Firmim, Blake, Callahan, Hopkins of Keene, Mason, Jones of Keene, Barrett of Keene, Empey, Gates, Tuttle, Huntley, Sawtelle, Davis of Stoddard, Ball.

SULLIVAN COUNTY.—Clark of Acworth, Barney, Brooks, Etsler, Nichols, Tenney of Claremont, Wolcott, Rossiter, Franklyn, Barton, Bluitte, Lewis, Robinson of Newport, Farnsworth.

GRAFTON COUNTY.—Southard, Collins, Pulsifer of Camp-ton, Ashley, Rudd, Cross, Davison, Page, Pulsifer of Hoderness, Ross, Stanley, Hallett, Price, Converse, Frazer, Harris, Chase, Kidder, Cotton of Warren, Howard of Piermont.

COOS COUNTY.—Moore, Young of Berlin, Marks, Hutchins of Berlin, Sims, Ferren, Pottle, McIntire, Nay, Rowden, Smith of Northumberland, Wood of Stewartstown, Brown, Snow.

## NAYS, 181.

ROCKINGHAM COUNTY.—Griffin of Auburn, MacMurphy, Senecal, Taylor, Pridham, Wardman, Caldwell, Dowdell, Weeks of Portsmouth, Casey, Cronin, Kane, Bartlett of Raymond, Felch.

STRAFFORD COUNTY.—Locke, Durkin, Howard of Dover, Fernald, Jenelle, Roberts of Dover, Ryan, Comings, Lawrence, Gotts, Edgerly, Gelinas, Davis of Rollinsford, Cote, Gagne, Hanagan, Heon.

BELKNAP COUNTY.—Jones of Alton, Holmes, Goodwin, Dunlap, Normandin, French, Laycock, Sanborn of Tilton, Smith of Tilton.

CARROLL COUNTY.—Hamlin, Chandler, Fulton, Philbrick, Fall, Thomas, Lord of Wakefield.

MERRIMACK COUNTY.—Sanborn of Bradford, Dodge of Concord, Rolfe, Phillips, Carleton of Concord, Lee, Gannon, Garneau, Mahan, Judkins, Newton of Franklin, Chaney, LaSalle, Walker of Hopkinton, Hill of Loudon, Bellerose, Martin of Pembroke, Cheney of Pittsfield, Jackson, Sanborn of Salisbury, Johnson of Warner, Wheelwright, Seavey.

HILLSBOROUGH COUNTY.—Rockwood, Hoyt of Frances-town, Spaulding of Goffstown, Russell, Boisvert, Hartford, Johnson of Manchester, Murphy of Ward 3, Manchester, Nyberg, Burns of Manchester, Kelley of Ward 4, Manchester, Fitzgerald, Clancy, Connor, Coyne, Creighton, Fleming, Kelley of Ward 5, Manchester, Kenney, Laughlin, McNulty, Tobin, Barry of Manchester, Burke, Carrier of Manchester, Murphy of Ward 6, Manchester, Sibley, Smith of Manchester, Carr, Foye, Godbout, Healey, Quinn, Sullivan of Manchester, Chevrette, Donnelly, Leonard, McLaughlin, Morin, McBride, Riley, Rourke, Getz LeClerc, Ploss, Blais of Manchester, Gowitzke, McDonnell, Roukey, Gauthier of Ward 12, Manchester, Lamy, Maynard, St. Germain, Dionne, Duval, Gagnon, Gauthier of Ward 13, Manchester, Remillard, Boilard, Dube, Trombly, Spillane, Sullivan of Ward 4, Nashua, Sullivan of Ward 5, Nashua, Burns of Nashua, Cotton of Nashua, Doyle, Lyons, Barry of Nashua, Hallisey, Rigney, Sylvestre, Bilodeau,

Girouard, Papachristos, Pelletier, Eastman of Weare, Hickey, Bemis, Duncan, Hogan, King of Keene, McGinness, Wells of Walpole, Burt.

SULLIVAN COUNTY.—Barry of Charlestown, Thornton, Colby, Gardner, Osborne.

GRAFTON COUNTY.—Hardy of Ashland, Parker, Webster, Hill of Enfield, Chellis, Lang, Stevens of Landaff, Eastman of Lebanon, Howard of Lebanon, McNamara, Fadden, Sawyer.

COOS COUNTY.—Hayward, Keleher, Griffin of Berlin, Larochele, Frizzell, Young of Colebrook, Mortenson, Nutting, Hutchins of Stratford.

The report of the majority was accepted, the amendment adopted, and the bill ordered to a third reading.

On motion of Mr. Lyford of Concord the House took a recess for one hour.

(After Recess.)

#### COMMITTEE REPORTS.

Mr. Kidder of Rumney, for the Committee on Forestry, reported the following entitled bill, House Bill No. 345, An act relating to shade trees in highways and other public places, with the recommendation that the bill be printed and recommitted to the Committee on Forestry.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a first and second time by its title, tabled to be printed and referred to the Committee on Forestry.

Mr. Chandler of Conway for the Committee on Fish and Game, to whom was referred House Bill No. 322, An act to amend Paragraph (a) Section 16, Chapter 133, Laws of 1915, as amended by Section 11, Chapter 152, Laws of 1919, relating to gray squirrels, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Chandler of Conway for the Committee on Fish and Game, to whom was referred House Bill No. 318, An act

relating to the powers and duties of the Commissioner of Fish and Game, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Smith of Peterborough for the Committee on Judiciary, to whom was referred House Bill No. 169, An act relative to the registration of persons, firms and corporations, designing to install wires, or other apparatus for electric light, heat or power purposes, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Cronin of Portsmouth for the Committee on Judiciary, to whom was referred House Bill No. 279, An act in amendment of Chapter 174, Section 8, of the Public Statutes, relating to marriages, and in relation to the commissioners to solemnize the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Jacobs of Lancaster for the Committee on Judiciary, to whom was referred House Bill No. 228, An act providing for the signing of editorials or articles in newspapers and other periodicals, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Martin of Concord for the Committee on Judiciary, reported the following entitled bill, House Bill No. 342, An act authorizing the Enfield Village Fire District to renew and extend its water bonds, with the recommendation that the bill ought to pass.

On motion of Mr. Aiken of Franklin the rules were suspended, the bill read a first and second time by its title and

laid on the table to be printed. On motion of the same gentleman the rules were further suspended, the printing of the bill dispensed with and the bill ordered to a third reading.

Mr. Duncan of Jaffrey for the Committee on Ways and Means, to whom was referred Senate Bill No. 10, An act in amendment of Chapter 56 of the Public Statutes as amended by Chapter 12 of the Laws of 1921, relating to the exemption from taxation of veterans of the War of the Rebellion, the Spanish-American War, the Philippine Insurrection, the World War, and their wives and widows, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject-matter being covered by Chapter 103, Laws of 1921.

The report was accepted and the resolution of the committee adopted.

Mr. Duncan of Jaffrey for the Committee on Ways and Means, to whom was referred House Bill No. 140, An act to exempt disabled veterans of the World War from payment of poll tax, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject-matter being covered by Chapter 103 of the Laws of 1921.

The report was accepted and the resolution of the committee adopted.

Mr. Duncan of Jaffrey for the Committee on Ways and Means, to whom was referred House Bill No. 214, An act in amendment of Section 4, Chapter 56 of the Public Statutes and amendments thereto, relating to the exemption of certain disabled soldiers and sailors of the World War from paying a poll tax, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject-matter being covered by Chapter 103 of the Laws of 1921.

The report was accepted and the resolution of the committee adopted.

Mr. Duncan of Jaffrey, for the Committee on Ways and Means, to whom was referred House Bill No. 189, An act to

authorize the granting of special licenses as hawkers and peddlers to disabled veterans of the World War, reported the same in new draft and new title, with the recommendation that the bill in its new draft and new title ought to pass.

Read a first and second time.

On motion of Mr. Duncan of Jaffrey, the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading.

Mr. Fleming of Manchester, for the Committee on Claims, reported the following entitled bill, House Bill No. 343, An act to provide that the park commissioners of the City of Manchester be elected by the people, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Smith of Manchester, the printing was dispensed with, and the bill referred to a Special Committee consisting of the Manchester Delegation.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, to whom was referred House Bill No. 34, An act in amendment of Chapter 271 of the Public Statutes, relating to the Lord's Day, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred House Bill No. 89, An act in amendment of Chapter 205, Laws of 1913, Entitled: "An act to control the further pollution of streams, lakes and rivers, and the protection of water supplies," reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred House Bill No. 172, An act relating to the salary of the Motor Vehicle Commis-

sioner reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend Section 1, by striking out in line 2, the words "thirty-five hundred" and inserting in place thereof the words "three thousand", so that said section as amended shall read as follows:

"SECTION 1. The salary of the Motor Vehicle Commissioner is hereby established at three thousand dollars."

The report was accepted, the amendment adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred House Bill No. 33, An act relating to Sunday base ball, reported the same with the recommendation that the bill ought to pass.

The undersigned, being a minority of the Committee on Revision of Statutes, to whom was referred House Bill No. 33, An act relating to Sunday base ball, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

W. E. PRICE,  
C. F. EASTMAN,  
FRANK A. BATCHELDER,  
GEO. I. PHILBRICK,  
HAROLD M. SMITH.

Mr. Lyford of Concord moved to substitute the report of the minority for that of the majority, and that the bill with the two reports, and his motion pending, be made a part of the regular order to-morrow. It was so voted.

#### REGULAR ORDER.

Mr. Hoyt of Sandwich moved that the amendment to House Bill No. 204, An act relating to high schools proposed by the Honorable Senate be adopted.

The vote was in the negative.



Mr. Lyford moved that the House non-concur with the proposed amendment; that the House request the Honorable Senate for a further conference and that a Committee of Conference be appointed by the Speaker.

The vote was in the affirmative.

The Speaker appointed Messrs. Lyford, Duncan, and Barry of Nashua as the House conferees.

#### REPORT OF STATE BOARD OF HEALTH.

The State Board of Health, pursuant to the resolution of Mr. Murdock of Hill, presented its report on the methods employed by it in co-operating with the Federal Government under the Shepard-Towner Act.

On motion of Mr. Murdock of Hill the report was laid upon the table, to be at the proper time referred to the Committee on Appropriations.

#### BILL TAKEN FROM THE TABLE.

On motion of Mrs. Yantis of Manchester it was voted that House Bill No. 14, An act relating to marriages, be taken from the table and referred to the Committee on Judiciary.

#### SPECIAL ORDER.

Mr. Smith of Manchester called for the Special Order for 11.01, it being

House Bill No. 143, An act relating to the supervision of police affairs in cities, with motion of Mr. Lyford to substitute minority report for majority.

On motion of Mr. Smith of Manchester the matter was made a Special Order for to-morrow at 11.02.

On motion of Mr. Wood of Portsmouth the House adjourned from the morning session.

#### AFTERNOON.

The House met in afternoon session.

On motion of Mr. Aiken of Franklin it was voted that the third readings be by title.

## THIRD READINGS.

The following bills were severally read a third time, passed and ordered to the Senate for concurrence:

House Bill No. 310, An act in amendment of Section 13, Chapter 128, Laws of 1909, as amended by Chapter 166, Laws of 1911, as amended by Chapter 142, Laws of 1915, relating to the burning of brush by permit.

House Bill No. 311, An act in amendment of Section 15, Chapter 128, Laws of 1909, as amended by Chapter 166, Laws of 1911, relating to the power of arrest for violation of forest laws.

House Bill No. 312, An act in amendment of Section 1, Chapter 95, Laws of 1911, as amended by Chapter 159, Laws of 1917, relating to the use of spark arresters on portable steam mills.

House Bill No. 299, An act relating to Antwerp or Homing Pigeons.

House Bill No. 328, An act to amend Section 1 of Chapter 159 of the Laws of 1921, relating to the purchase of legislative supplies.

House Bill No. 102 (New Draft), An act to amend Section 1 of Chapter 40 of the Laws of 1911, relating to taxation or assessment of land.

House Bill No. 276, An act relating to pensioning of employees of the Water Works Department of the City of Manchester.

House Bill No. 251, An act to amend the fish and game laws.

On motion of Mr. Hutchins of Stratford at 3.25 the House adjourned.

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WEDNESDAY, MARCH 28, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

## MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has passed the following bills in

the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 9, An act relating to the State Board of Education.

Senate Bill No. 12, An act to require the teaching of the Constitution of the United States in the public and private schools of the State of New Hampshire.

The message further announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following house bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 160, An act permitting the collection of birds, their nests and eggs, wild animals and fish for scientific purposes.

Amend Section 2 of said act by striking out the word "certificates" in the tenth line and inserting in place thereof the word "certificate"; and by striking out the word "two" in the eleventh line and inserting in place thereof the word "a"; and by striking out the word "institutions" in the eleventh line and inserting in place thereof the word "institution".

Amend Section 4 of said act by striking out the word "it" in the second line and inserting in place thereof the word "he".

House Bill No. 247, An act in amendment of Chapter 133, Laws of 1915 as amended by Chapter 184, Laws of 1919, relating to Fish and Game.

Amend the title of said bill by striking out the same and inserting the following title:

"An act relating to the taking of deer."

Amend Section 1 of said act by inserting after the figures "1919" in the third line the words "and as amended by Section 2, Chapter 140 of the Laws of 1921."

The message further announced that the Senate has voted to concur with the House of Representatives in the passage of the following House Joint Resolution sent up from the House of Representatives:

House Joint Resolution No. 34, Joint resolution for establishing a free bridge in the town of Monroe.

#### LEAVES OF ABSENCE.

Mr. Eastman of Lebanon was granted leave of absence for the week on account of business.

Mr. Lawrence of Middleton was granted leave of absence for the week of April 2nd on account of business.

#### REPORTS OF COMMITTEES.

Mr. Cox of Portsmouth, for the Special Committee consisting of the Portsmouth Delegation, to whom was referred House Bill No. 303, An act in amendment of Chapter 212, of the Laws of 1905, relating to the Charter of the City of Portsmouth, and in amendment of other acts and amendments relating thereto, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, to whom was referred House Bill No. 27, An act relating to the registration of motor vehicles, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 3, by striking out the whole of said section, and substituting therefore the following new section:

SECT. 3. The Commissioner of Motor Vehicles shall accept in lieu of the bond provided for in Section 1, an insurance policy, in form provided by the insurance commissioner, issued by any insurance company authorized to do business in this State, in the sums set forth in Section 1; provided, however that neither the bond provided for in Section 1 nor the insurance policy in lieu thereof provided for in Section 3 shall be required of any person who shall have filed a sworn statement of his assets and liabilities and satisfied the Commissioner of Motor Vehicles of his financial ability to pay any judgment not exceeding ten thousand

dollars (\$10,000), which may be recovered against him by reason of the liability imposed upon him by law for damages arising out of the operation of the motor vehicle sought to be registered.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred House Bill No. 106, An act in amendment of Section 3, Chapter 29, Laws of 1893 as amended by Section 1, Chapter 67, Laws of 1897, and Section 1, Chapter 14, Laws of 1913 and Section 1, Chapter 171, Laws of 1915, relating to Highway agents, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred House Bill No. 182, An act in amendment of Chapter 31 of the Public Statutes as amended by Chapter 52 of the Laws of 1899, Chapter 179 of the Laws of 1911 and Chapter 3 of the Special Session Laws of 1919, in relation to the rights and qualifications of voters, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

On motion of Mr. Quinn of Manchester, the bill was re-committed to the Committee on Revision of Statutes.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred House Bill No. 219, An act in amendment of Section 13, Chapter 119 of the Laws of 1921, relating to the operation of motor trucks on public highways, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred Senate Bill No. 11, An act

to prevent the desecration of Memorial Day, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred Senate Bill No. 23, An act to authorize the Governor to accept gifts of personal property to the State, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hutchins of Berlin for the Committee on Liquor Laws, to whom was referred House Bill No. 259, An act relating to intoxicating liquors, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Davison of Haverhill for the Committee on Judiciary, reported the following entitled bill, House Bill No. 347, An act legalizing the annual School District meeting for the Town of Holderness on the 13th day of March, 1923, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Duncan of Jaffrey, the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

#### ORDER VACATED.

On motion of Mr. Lord of Manchester, the order whereby House Bill No. 259 was referred to the Committee on Appropriations, was vacated and the bill ordered to a third reading.

#### COMMITTEE REPORTS CONTINUED.

Mr. Smith of Peterborough for the Committee on Judiciary, to whom was referred House Bill No. 237, An act

enlarging the powers of the Public Service Commission to authorize the discontinuance of steam railways in certain cases, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate; for the reason that the subject-matter is covered by a Joint resolution introduced by the Committee on Judiciary.

The report was accepted and the resolution of the committee adopted.

Mr. Lyford of Concord for the Committee on Judiciary, reported the following Joint resolution, House Joint Resolution No. 57, Joint resolution providing for an investigation by the Public Service Commission with respect to the discontinuance of portions of the Manchester & Milford Branch and the Suncook Valley Branch of the Boston & Maine Railroad, with the recommendation that the Joint resolution ought to pass.

Read a first and second time.

Mr. Tobey of Temple, moved that the Joint resolution be indefinitely postponed.

(Discussion ensued.)

Mr. Keleher of Berlin moved the previous question. The question being: Shall the main question now be put? Mr. Ordway of Milford called for a division.

A division being had, the vote was manifestly in the affirmative.

The question being: Shall the Joint resolution be indefinitely postponed? the vote was in favor of the postponement.

Mr. Bass of Peterborough for the Committee on Ways and Means, to whom was referred House Bill No. 211, An act to authorize the improvement of water powers in this state by the construction and management of storage reservoirs, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Bass of Peterborough, for the Committee on Ways

and Means, to whom was referred House Bill No. 269, An act in amendment of Sub-section 6 of Section 7 of Chapter 55 of the Public Statutes relating to the taxation of stock in trade, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Bass of Peterborough, for the Committee on Ways and Means, to whom was referred House Bill No. 45, An act in amendment of Section 2, Chapter 55 of the Public Statutes in encouragement of home building, having considered the same, report the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 124, An act in relation to criminal identification, having considered the same, report the same with the recommendation that the bill ought to pass.

The undersigned being a minority of the Committee on Appropriations, to whom was referred House Bill No. 124, An act in relation to criminal identification, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

WILLIAM H. BARRY.

Mr. Barry of Nashua moved that the report of the minority be substituted for that of the majority, and that the bill and the two reports, with his motion pending, be made a Special Order for Tuesday next at 11.01.

The Special Order was allowed.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, to whom was referred House Bill No. 33, An act relating to Sunday base-ball, reported the same with the recommendation that the bill ought to pass.



The undersigned being a minority of the Committee on Revision of Statutes, to whom was referred House Bill No. 33, An act relating to Sunday base-ball, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

W. C. PRICE,  
C. F. EASTMAN,  
FRANK A. BATCHELDER,  
GEO. I. PHILBRICK,  
HAROLD M. SMITH.

The matter was brought before the House, pursuant to the motion of Mr. Lyford of Concord to substitute the report of the minority for that of the majority, made the preceding day.

The question being on the substitution.

(Discussion ensued.)

Mr. Donnelly of Manchester moved the previous question.

The question being: Shall the main question now be put? the vote was in the affirmative.

The question being: Shall the report of the minority be substituted for that of the majority? Mr. Wood of Portsmouth called for a division, and a division was had with the following result:

For the substitution: 208.

Against the substitution: 134, and the minority report and resolution of the minority were adopted.

On motion of Mr. Lyford of Concord it was voted that the House take a recess of one hour.

(After recess.)

Mr. Duncan of Jaffrey gave notice he should at a later date move to reconsider the action of the House in adopting the resolution of the Committee on Ways and Means, inexpedient to legislate, on Senate Bill No. 10, An act with

reference to exemption from taxation of war veterans, their wives and widows.

#### REGULAR ORDER.

Mr. Lyford of Concord moved to concur with the Honorable Senate in the adoption of the amendments offered by the Committee on Engrossed Bills to House Bills No. 160 and No. 247 and the bills sent to the Secretary of State to be engrossed.

#### SENATE BILLS INTRODUCED.

The following Senate bills were severally read a first and second time by title, under a suspension of the rules, on motion of Mr. Fernald of Dover, and referred to the Committee on Education:

Senate Bill No. 9, An act relating to the State Board of Education.

Senate Bill No. 12, An act to require the teaching of the Constitution of the United States in the public and private schools of the State of New Hampshire.

#### REPORT OF COMMISSION.

#### CHAPTER 198, LAWS OF 1921.

JOINT RESOLUTION appointing a commission for the purpose of collecting information regarding traffic and transportation over the Connecticut river and reporting same to the Legislature of 1923.

*Resolved* by the Senate and House of Representatives in General Court convened:

*That*, Whereas, there exists a question as to the advisability of taking over by the State of New Hampshire and maintaining at state expense the bridges spanning the Connecticut River, along the state boundary, now, therefore,

*Resolved*, that a committee of three be appointed by the Governor, with the advice and consent of the Council, for the purpose of collecting facts and information regarding traffic and transportation over said bridges, to be reported to the 1923 Legislature for whatever action is deemed ap-

propriate. Said committee shall serve without pay, but shall be allowed their actual and necessary expenses, to be approved by the Governor and Council. The Governor is hereby authorized to draw his warrant for such sum of money, out of any money in the treasury not otherwise appropriated.

Approved April 14, 1921.

*Report of Commission appointed by the Governor and Council under the provisions of Chapter 189, Laws of 1921.*

Under the provisions of Chapter 189, Laws of 1921, the Governor and Council appointed William J. King of Walpole, Roy D. Hunter of Claremont, and Irving A. Hinkley of Lancaster, a commission for the purpose of collecting information regarding traffic and transportation over the Connecticut River and reporting same to the Legislature of 1923.

The Commission has investigated the situation and begs leave to submit the following report and recommendation:

There are thirty-two bridges spanning the Connecticut River between the States of Vermont and New Hampshire. All these bridges are in first class condition. There are four toll bridges. Eighteen of the bridges are of wood and fourteen are of steel. The average span is two hundred seventy feet and the average width is nineteen and five-tenths feet. Only four of these bridges over the Connecticut connect with trunk line highways. For several years last past a large proportion of the traffic crossing the Connecticut River on these bridges has been foreign, much of which goes to the White Mountains and to other summer resorts. Actual count of traffic across the Connecticut River bridge at North Walpole, conducted through several days, showed an average of from ninety to one hundred forty-six automobiles per hour coming from Vermont into New Hampshire. Eighty per cent of this entire traffic was foreign and the same is true generally speaking of each of the bridges connecting with the trunk line highways. The local towns which now have to maintain these bridges get

very little direct benefit from this traffic, but are nevertheless compelled by the law as it is now to pay two-thirds of the construction, maintenance and upkeep of these trunk line bridges. In effect this makes it necessary for a town in which a bridge connects with a trunk line to pay two-thirds of the expense of maintaining a trunk line highway from the east bank of the Connecticut River to the west bank, which has always been considered the state line. The result of this situation is to place an unfair and undue burden upon those towns where bridges of this class are situated.

We are filing herewith in the form of a blue print the detailed information upon which this report is based.

#### RECOMMENDATION.

We recommend as to all bridges spanning the Connecticut River between New Hampshire and Vermont and situated at a terminus of a laid out state highway, that the repair, maintenance and upkeep of such bridges be assumed by the State of New Hampshire. We recommend further that the expense thus entailed to the State be divided as between the State and the towns upon the same basis as the expense for the maintenance of state highways is now divided.

WILLIAM J. KING,  
ROY D. HUNTER.

The report was referred to the Highway Commission.

#### SPECIAL ORDER.

Mr. Lyford called for the Special Order for 11.01, it being the contested election in Concord, Ward 7, the motion to substitute the report of the minority for that of the majority, and Mr. Winant's call for a roll-call.

The reports of the majority and minority are as follows:

Mr. Rollins of Andover, for the Committee on Elections, to whom was referred the petition of Frank J. Kelly for a seat in this House as the Representative from Ward 7, City of Concord, in place of Burt J. Carleton the sitting member from Ward 7, City of Concord, having heard the evidence

in the case presented by the parties in interest, reported the same with the following resolution:

*Resolved*, That Burt J. Carleton is not entitled to a seat in this House, and that Frank J. Kelly is entitled to a seat in this House; and that Frank J. Kelly be seated as the Representative from Ward 7, City of Concord.

The undersigned a minority of the Committee of Election, not being able to agree with the conclusions of the majority submit herewith a minority report and recommend the adoption of the following resolution:

*Resolved*, That Burt J. Carleton is entitled to a seat in this House as a Representative from Ward 7, City of Concord.

ARTHUR W. CHANDLER,  
ADELARD G. GELINAS,  
FRED A. HOULE,  
HARRY E. JONES,  
JOHN H. ROLFE.

The roll was called with the following result:

YEAS, 159.

ROCKINGHAM COUNTY.—Labranche, Rousseau, Wardman, Cronin.

STRAFFORD COUNTY.—Locke, Durkin, Howard of Dover, O'Neill, Ryan, Durnin, Comings, Lawrence, Gotts, Edgerly, Gelinas, Marcoux, Davis of Rollinsford, Girard, Cote, Gagne, Hanagan, Houle of Somersworth, Heon.

BELKNAP COUNTY.—Jones of Alton, Goodwin, Dunlap, Kempton, Normandin, French, Laycock, Roberts of Meredith.

CARROLL COUNTY.—Chandler, Fulton, Fall, Thomas, Philbrick.

MERRIMACK COUNTY.—Desroche, Sanborn of Bradford, Tallman, Dodge of Concord, Rolfe, Robinson of Concord, Phillips, Lee, Gannon, Fowler, Garneau, Mahan, Judkins, Newton of Franklin, Walker of Hopkinton, Hill of Loudon, Bellerose, Martin of Pembroke, Jackson, Sanborn of Salisbury, Johnson of Warner, Wheelright, Seavey.

HILLSBOROUGH COUNTY.—Hoyt of Francestown, Russell, Boisvert, Hardy of Hollis, Hartford, Johnson of Manchester, Murphy of Ward 3, Manchester, Nyberg, Burns of Manchester, Kelly of Ward 4, Manchester, Fitzgerald, Clancy, Coyne, Creighton, Fleming, Kelly of Ward 5, Manchester, Laughlin, McNulty, Tobin, Barry of Manchester, Burke, Murphy of Ward 6, Manchester, Sibley, Smith of Manchester, Carr, Foye, Godbout, Healey, Quinn, Sullivan of Manchester, Chevette, Donnelly, Leonard, McLaughlin, Morin, Conboy, McBride, Riley, Rourke, Getz, Ploss, Blais of Manchester, Gowitzke, McDonnell, Roukey, Gauthier of Ward 12, Manchester, Lamy, Maynard, Pecor, Dionne, Gagnon, Gauthier of Ward 13, Manchester, Remillard, Boilard, Trombly, Spillane, Sullivan of Ward 4, Nashua, Burns of Nashua, Cotton of Nashua, Doyle, Lyons, Barry of Nashua, Hallisey, Rigney, Sylvestre, Bilodeau, Girouard, Pappachristos, Pelletier, Eastman of Weare, Hickey.

CHESHIRE COUNTY.—Bemis, Duncan, King of Keene, Landers, Wells of Walpole, Kellom, Qualters.

SULLIVAN COUNTY.—Barry of Charlestown, Franklyn, Thornton, Colby, Gardner.

GRAFTON COUNTY.—Hardy of Ashland, Parker, Webster, Lang, Howard of Lebanon, McNamara, Mooney, Kidder, Fadden, Sawyer.

COOS COUNTY.—Hayward, Keleher, Larochele, Frizzell, Young of Colebrook, Mortenson, Nutting.

Mr. Kane of Portsmouth, voting yes, paired with Mr. Cox of Portsmouth voting no.

Mr. Kenney of Manchester voting yes, was paired with Mr. Cheney of Concord voting no.

Mr. Cilley of Manchester voting no was paired with Mr. Pridham of Newcastle voting yes.

Mr. Price of Lisbon, voting no was paired with Mr. Elms of Lyman voting yes.

NAYS, 142.

ROCKINGHAM COUNTY.—Wheeler of Atkinson, Pike, Tenney of Chester, Johnson of Danville, White, Taylor, Field.

Merrill of Exeter, Swain, Randall, Blodgett, Littlefield, Dow of North Hampton, Steward, Hills, Wood of Portsmouth, Rand, Coles.

STAFFORD COUNTY.—Cloutman, Reynolds, Fernald, Webb, Fogg, Stevens of Milton, Preston.

BELKNAP COUNTY.—Holmes, Smith of Belmont, Sanborn of Center Harbor, Weeks of Gilford, Jewett, Merrill of Laconia, Badger, Gordon of New Hampton, Wright, Sanborn of Tilton, Smith of Tilton.

CARROLL COUNTY.—Hamlin, Willey, Currier of Conway, Ela, Chick, Blanchard, Smart, Hoyt of Sandwich, Hale.

MERRIMACK COUNTY.—Grimes, Albee, Lyford, Newton of Concord, Cressy, Kendall, Martin of Concord, Roby, King of Concord, Winant, Lund, Aiken, Murdock, Cutting, Carter, Wells of Sutton.

HILLSBOROUGH COUNTY.—Flint, Davis of Goffstown, Butler, Childs, Spaulding of Hudson, Putnam, Cronan, Dodge of Manchester, Cox of Manchester, Lord of Manchester, Grant, Duval, Gordon of Merrimack, Lovejoy, Ordway, Robinson of Milford, Winslow, Christie, Walker of New Ipswich, Bass, Smith of Peterborough.

CHESHIRE COUNTY.—Dewing, Spring, Firmin, Blake, Callahan, Hopkins of Keene, Mason, Jones of Keene, Barrett of Keene, Empey, Gates, Davis of Stoddard, Ball, King of Walpole.

SULLIVAN COUNTY.—Barney, Brooks, Etsler, Nichols, Wolcott, Rossiter, Barton, Bluitte, Glynn, Lewis, Robinson of Newport, Osborne, Farnsworth.

GRAFTON COUNTY.—Southard, Collins, Pulsifer of Camp-ton, Ashley, Rudd, Cross, Davison, Pulsifer of Holderness, Stevens of Landaff, Ross, Waterman, Hallett, Converse, Harris, Chase, Cotton of Warren, Howard of Piermont.

COOS COUNTY.—Pierce of Berlin, Griffin of Berlin, Moore, Young of Berlin, Blais of Berlin, Marks, Hunt, Sims, Pottle, Nay, Rowden, Smith of Northumberland, Wood of Stewartstown, Hutchins of Stratford, Brown, Snow.

The report of the minority was substituted, and Mr. Carleton retained his seat.

Mr. Barry of Nashua, called for the second Special Order, it being House Bill No. 143, An act relating to the supervision of police affairs in cities, with motion of Mr. Lyford to substitute minority report, inexpedient to legislate, for that of the majority, ought to pass.

(Discussion ensued.)

Mr. Wright of Sanbornton moved the previous question.

The question being: Shall the main question now be put? the vote was in the affirmative.

The question being: Shall the report of the minority be substituted for that of the majority? Mr. Barry of Nashua called for a division.

A division being had the result was as follows:

For the substitution—111.

Against the substitution—167.

The motion did not prevail.

The report of the majority was accepted.

Mr. Bass of Peterborough offered an amendment.

The question being on the adoption of the proposed amendment.

(Discussion ensued.)

Mr. Hallisey of Nashua moved the previous question.

The question being: Shall the main question now be put? the vote was in the affirmative.

The question being on the adoption of the amendment, a *viva voce* vote was apparently in the negative.

Mr. Bass of Peterborough called for a division and a division was had with the following result:

For the adoption—67.

Against the adoption—111.

The report of the majority was accepted, and the bill ordered to a third reading.

On motion of Mr. Kenney of Manchester business in order at 3 o'clock P. M. was made in order at the present time.



## THIRD READINGS.

On motion of Mr. Kenney of Manchester it was voted that the third reading of bills be by title, under a suspension of the rules.

The following bills were severally read a third time, passed and ordered to the Senate for concurrence:

House Bill No. 234, An act in amendment of Chapter 70 of the Laws of 1921, entitled: "An act imposing a tax upon the transfer at death of the personal property of non-residents."

House Bill No. 53, An act relating to poll tax.

House Bill No. 322, An act to amend paragraph (a) Section 16, Chapter 133, Laws of 1915, as amended by Section 11, Chapter 152, Laws of 1919, relating to gray squirrels.

House Bill No. 318, An act relating to the powers and duties of the Commissioner of Fish and Game.

House Bill No. 342, An act authorizing the Enfield Village Fire District to renew and extend its water bonds.

House Bill No. 189 (In New Draft and Title), An act to authorize the granting of special licenses as hawkers and peddlers to disabled veterans of the World War.

On motion of Mr. Lyford of Concord, it was voted that the rules be suspended and House Bill No. 143, An act relating to the supervision of police affairs in cities, be now put on its third reading by title and passage at this time.

The bill was then read a third time by title, passed and ordered to the Senate for concurrence.

On motion of Mr. Kenney of Manchester, at 5.50 the House adjourned until tomorrow at 11 o'clock.

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THURSDAY, MARCH 29, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

## MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the

House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 148, An act in amendment of Section 18, Chapter 119, of the Session Laws of 1921, relating to operating motor vehicles while under the influence of intoxicating liquor.

House Bill No. 316, An act to authorize towns to raise money towards the support of a resident physician.

House Bill No. 323, An act relative to open air concerts in the City of Manchester.

House Bill No. 253, An act in amendment of Section 19 of Chapter 286 of the Public Statutes, relating to the salary of the treasurer of Hillsborough County.

House Bill No. 337, An act to legalize the vote and action of the Grafton County Delegation, held on the seventh day of March, 1923.

The message further announced that the Senate has passed the following entitled bills in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 24, An act to legalize the March meeting held on the 13th day of March, 1923, in the Town of Clarksville.

Senate Bill No. 27, An act to change the name of John Young Pond in Lyman.

The message further announced that the Senate has voted to grant the request of the House of Representatives for a Committee of Conference to further consider the amendment on House Bill No. 204, An act in amendment of Section 1 of Chapter 96 of the Session Laws of 1901, entitled: "An act relating to high schools," as amended by Chapter 118, Laws of 1903, as amended by Chapter 16, Laws of 1917, in which the House has refused to concur; and pursuant to said request the President has appointed as members of such committee on the part of the Senate, Senators Swasey, Rice and Hammond, as conferees.

#### PETITIONS INTRODUCED AND REFERRED.

By Mr. Davison of Haverhill, Petition of 97 citizens of Woodsville and vicinity for repeal of the six inch trout law. To the Committee on Fish and Game.

By Mr. Wood of Portsmouth, Petition of College Women's Club of Portsmouth, in favor of appropriation for dormitory at Keene Normal School. To the Committee on Appropriations.

#### LEAVES OF ABSENCE.

Messrs. Littlefield of Newton, Wright of Sanbornton and O'Neill of Dover were granted leave of absence for the day on account of business.

Messrs. Pottle of Jefferson, Gowitzke of Manchester were granted leave of absence for the week of April 2, on account of business.

Mr. Connor of Manchester was granted leave of absence for the week on account of death in family.

#### COMMITTEE REPORTS.

Mr. Hutchins of Stratford, for the Committee on Military Affairs, to whom was referred the following Joint resolution:

House Joint Resolution No. 30, Joint resolution in aid of the Spanish War Veterans, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Hardy of Hollis, for the Committee on Agriculture, to whom was referred House Bill No. 302 (New Draft), An act to regulate the shipment of livestock, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 1 by striking out the word "cows" in the last line and inserting in place thereof the word "calves", so that said section as amended shall read as follows:

SECTION 1. No person shall ship, nor shall any common carrier transport livestock within this state in mixed carloads unless different kinds of stock shall be separated, each kind from the other, by strong partitions, *provided, however*, that milch cows may be shipped not exceeding three calves for one cow, and sheep may be shipped with calves.

Further amend by striking out the whole of Section 3 and inserting in place thereof the following section:

SECT. 3. Animals found to be so far diseased or so badly injured as to be unable to stand, and the carcasses of any which may die or are killed because of disease or injuries, may be removed from the car, reshipped or otherwise disposed of in accordance with rules and regulations of the State Board of Health.

And further amend by striking out the whole of Section 5 and inserting in place thereof the following section:

SECT. 5. Any person, company or corporation knowingly violating any provision of this act shall be fined not exceeding five hundred dollars (\$500) for each offense.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Hardy of Hollis, for the Committee on Agriculture, to whom was referred House Bill No. 325, An act to regulate the sale of grain, reported the same in new draft, with the recommendation that the bill in its new draft ought to pass.

Read a first and second time by title, on motion of Mr. Fernald of Dover, under a suspension of the rules, tabled to be printed, and taken up in its regular order.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 346, An act relating to the taxation of national bank stock.

#### COMMITTEE REPORTS CONTINUED.

Mr. Rudd of Franconia for the Committee on Agriculture, reported the following joint resolution, House Joint Resolution No. 58, Joint resolution providing money for the completion of the highway from the Profile House in the Town of Franconia to the Waterford Bridge on the Connecticut River, with the recommendation that the Joint resolution be referred to the Committee on Appropriations.

Read a first and second time, laid upon the table to be

printed and referred to the Committee on Public Improvements.

Mrs. Bartlett of Raymond for the Committee on Public Health, to whom was referred House Joint Resolution No. 4, Joint resolution to enable the State to co-operate with the United States in the promotion of the welfare and hygiene of maternity and infancy in the State of New Hampshire, reported the same with the recommendation that the Joint resolution ought to pass.

Mr. Murdock of Hill moved that the Joint resolution and report be laid upon the table until House Bill No. 32, An act providing protection for maternity and infancy shall be reported.

The motion was lost, the report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Wells of Walpole, for the Committee on Incorporations, reported the following bill, House Bill No. 348, An act to amend the charter of the Concord Masonic Association, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Martin of Concord, the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

Mr. Johnson of Manchester, for the Committee on State House and State House Yard, reported the following Joint resolution, House Joint Resolution No. 59, Joint resolution for repairs on State House and care of trees in yard, with the recommendation that the Joint resolution ought to pass.

Read a first and second time.

On motion of Mr. Lord of Manchester, the rules were suspended, the printing dispensed with and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Duncan of Jaffrey, for the Committee on Ways and Means, to whom was referred House Bill No. 105, An act in

relation to taxation of stock in trade of manufacturers, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Chandler of Conway, for the Committee on Fish and Game, to whom was referred House Bill No. 281, An act in amendment of Chapter 133, Laws of 1915, as amended by Laws of 1917, 1919, and 1921, relating to open season on deer, reported the same in new draft and new title, with the recommendation that the bill in its new draft and its new title ought to pass.

Read a first and second time, tabled to be printed, and taken up in its regular order.

Mr. Chandler of Conway, for the Committee on Fish and Game, to whom was referred House Bill No. 282, An act amending Section 17, Chapter 133, Laws of 1915, as amended by Laws of 1917, 1919, and 1921, relating to fur bearing animals, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Chandler of Conway for the Committee on Fish and Game, to whom was referred House Bill No. 141, An act in amendment of Chapter 133, Laws of 1915, relating to fish and game, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title by inserting before the word "chapter" the following "sub-division (b), Section 28" so that said title, as amended, shall read:

An act in amendment of sub-division (b), Section 28, Chapter 133, Laws of 1915, relating to fish and game.

Amend said bill by striking out the whole of Section 1 and inserting in place thereof the following:

SECTION 1. Amend sub-division (b), Section 28, Chapter 133, Laws of 1915, by adding at the end thereof the following: "Except that salmon of not less than ten inches in

length may be taken and possessed from the waters of Big Diamond Pond in the County of Coos from May twentieth to September first of any year." So that said sub-division, as amended, shall read as follows:

(b) Salmon not less than fifteen inches in length may be taken and possessed from April first to September first. Except that salmon of not less than ten inches in length may be taken and possessed from the waters of Big Diamond Pond in the County of Coos from May twentieth to September first of any year.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Chandler of Conway for the Committee on Fish and Game, reported the following entitled bill, House Bill No. 349, An act in amendment of Section 1, Chapter 89 of the Laws of 1921, entitled: "An act in amendment of the fish and game laws, relative to the taking and possession of brook trout," with the recommendation that the bill be printed and recommitted to the Committee on Fish and Game.

Read a first and second time by title on motion of Mr. Cilley of Manchester, tabled to be printed, and referred to the Committee on Fish and Game.

Mr. Griffin of Berlin, for the Committee on Roads, Bridges and Canals, to whom was referred House Bill No. 264, An act in relation to bridges crossing the Connecticut River, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, to whom was referred House Bill No. 142, An act to create a State Boxing Commission, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, to whom was referred House Bill No. 307, An act

in amendment of Section 8, Chapter 218 of the public Statutes, relating to writs and their endorsements, reported the same, with the recommendation that the bill ought to pass.

On motion of Mr. Martin of Concord the bill was re-committed to the Committee on Revision of Statutes.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, to whom was referred House Bill No. 254, An act in amendment of Chapter 59 of the Laws of 1901 as amended by Chapter 79 of the Laws of 1915 as amended by Chapter 109 of the Laws of 1919, relative to veterinary surgeons, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, to whom was referred House Bill No. 334, An act in amendment of Chapter 33 of the Public Statutes as amended by Section 5, Chapter 78 of the Laws of 1897 relating to the manner of conducting caucuses and elections, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Bass of Peterborough, for the Committee on Ways and Means, to whom was referred House Bill No. 5, An act to promote the raising of live stock by exemption of live stock from taxation, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 5, An act to promote the raising of live stock by exemption of live stock from taxation, having considered the same, and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

R. B. STEVENS,  
GEORGE H. DUNCAN,  
HUGH K. MOORE.



Mr. Duncan of Jaffrey, moved that the report of the minority be substituted for that of the majority, and that the two reports, with the motion to substitute pending be made a Special Order for Tuesday next at 10.02.

The Special Order was allowed.

Mr. Harris of Orford, for the Committee on Education, to whom was referred House Bill No. 274, An act Relating to Public Schools, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

#### SENATE BILLS INTRODUCED.

The following bills were received from the Senate, read a first and second time, and referred to the Committee on Judiciary.

Senate Bill No. 24, An act to legalize the March meeting held on the 13th day of March, 1923, in the Town of Clarksville.

Senate Bill No. 27, An act to change the name of John Young Pond in Lyman.

#### RESOLUTION PRESENTED.

Mr. Sibley of Manchester presented the following resolution:

“As there are important bills to come before the House, and as every member would like an opportunity to speak on these bills, be it therefore

*Resolved*, that the time should be limited to five minutes, and that the rules of the House should be lived up to and no member be allowed to speak until all who wished had spoken.”

On motion of Mr. Sibley of Manchester, it was voted that the resolution be laid upon the table until a larger number of members be present.

#### CHANGE OF COMMITTEE REFERENCE.

On motion of Mr. Lord of Manchester, it was voted that the order whereby House Bill No. 50, An act in amendment

of Section 4, Chapter 168, Laws of 1913, relating to the state highway from Merrimack Valley road to East Side route, was referred to the Committee on Appropriations, was vacated and the bill referred to the Committee on Judiciary.

On motion of Mr. Cox of Manchester business in order at 3 o'clock was made in order at the present time.

#### THIRD READINGS.

House Bill No. 269, An act in amendment of Sub-section 6 of Section 7 of Chapter 55 of the Public Statutes, relating to the taxation of stock-in-trade.

Read a third time, passed, and ordered to the Senate for concurrence.

House Bill No. 27, relating to the registration of motor vehicles.

On motion of Mr. Hoyt of Francestown, the third reading was made a Special Order for Tuesday at 11.03.

Senate Bill No. 23, An act to authorize the Governor to accept gifts of personal property to the State.

Read a third time, passed, and ordered to the Secretary of State to be engrossed.

House Bill No. 259, An act relating to intoxicating liquors.

Read a third time by title under a suspension of the rules, on motion of Mr. Wood of Portsmouth.

On motion of Mr. Kenney of Manchester, the bill was put back on its second reading and re-committed to the Committee on Liquor Laws for amendment.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

Senator Osgood and Mr. Converse of Lyme for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 14, An act to amend Section 21 of Chapter 287 of the Public Statutes, as amended by Section 1 of Chapter 78, Laws of 1907, and Section 1 of Chapter 136, Laws of 1919, relating to pay of jurors, reported the same under Joint Rule 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 1 of said bill by inserting after the word "jurors" in the fourth line thereof the words "when attending Court away from home," and by striking out in the seventh line thereof the words "clerk of."

Senator Osgood and Mr. Converse of Lyme for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 5, An act relating to the fees of sheriffs and deputy sheriffs, reported the same under Joint Rule 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 1 of said bill by striking out the whole thereof and inserting in place thereof the following:

SECTION 1. Amend Section 16, Chapter 287 of the Public Statutes, as amended by Section 1, Chapter 80, Laws of 1901, Section 1, Chapter 63, Laws of 1907, Section 1, Chapter 70, Laws of 1909, Chapters 44 and 102, Laws of 1917, and Chapter 114, Laws of 1919, by striking out the words "three" and "four" in the sixth sentence of said section and inserting in place of each the word five, so that said section shall read as follows:

SECT. 16. The fees of sheriffs and deputy sheriffs shall be as follows: For the service of every writ, subpoena for every witness named therein, process, notice, or execution, fifty cents. For making an attachment of personal property upon a writ returnable to the superior court, one dollar; upon a writ returnable to a justice of the peace or a police court, fifty cents. For taking bail, to be paid by the person bailed, fifty cents. For actual travel to serve any writ, notice, subpoena process, or execution, to be reckoned from the place of service to the residence of the officer, in no case exceeding fifty miles, and for travel to attend any court, by the order thereof, to be reckoned from the residence of the officer to the court, each mile, each way, ten cents. For levying executions, on the dollar, for the first hundred dollars levied, three cents; for the residue of the sum levied above one hundred and not exceeding three hundred dollars, two cents; for the residue of the sum levied above three hundred dollars, one cent. For each day's actual attendance at the

supreme or superior court by order whereof, to be paid out of the county treasury, the sheriff, each day, five dollars; each deputy, five dollars, to be audited and allowed by the court. For attending before a justice or police court, on trials where his presence is required, each day, one dollar. For making copies of writs returnable to the superior court, each, one dollar, and for making copies of writs returnable to police or justice courts, each, fifty cents. For leaving the copy and return required in the attachment of real estate at the dwelling-house or office of a town or city clerk, fifty cents.

The report was accepted and the amendments offered by the Committee on Engrossed Bills adopted and the bills sent to the Senate for concurrence in the amendments.

BILL TAKEN FROM THE TABLE.

On motion of Mr. Murphy of Manchester, House Bill No. 290 was taken from the table and referred to the Committee on Fish and Game.

Mr. Sibley of Manchester, moved that when the House adjourn today it be to meet tomorrow at 9.30, and that the adjournment then be until Monday at 7.30.

On motion of Mr. Gardner of Springfield, at 1.00 o'clock the House adjourned.

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FRIDAY, MARCH 30, 1923.

The House met at 9.30.

On motion of Mr. Kendall of Concord, at 9.31 the House adjourned.

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MONDAY, APRIL 2, 1923.

The House met at 7.30.

The following opinion of the Supreme Court was read and the opinion of Justice Snow:

HONORABLE WILLIAM J. AHERN,  
*Speaker of the House of Representatives.*

SIR:

In response to yours of March 21st, *ult.*, transmitting a Resolution of the House passed that day, the undersigned, Justices of the Supreme Court, submit the following in answer to the inquiries therein contained:

I. In 1915 the House of Representatives required our opinions upon the question "whether any constitutional provision would be violated by imposing a tax at the uniform rate upon money received as interest or dividends." Upon this question the justices were not agreed. Four, understanding "the uniform rate" to mean the rate applied in the taxation of other property in the taxing district, failed "to discover any substantial ground upon which 'they' would be justified in advising that the proposed act is clearly in violation of any provision of the State Constitution," while the opinion of one of the justices was adverse to the constitutionality of the proposed legislation.

The first question of those now submitted is a repetition of the question asked in 1915. The views then held are still entertained. There seems to be no occasion for the justices then answering to add to what was then said. The opinions then submitted are printed in the Journal of the House for 1915, page 435 and in the 77th Volume of the Law Reports, page 611.

II. This question implies that the rate of the proposed tax is to be different from that upon other property. If by any process of reasoning a rate can be reasonable which is unequal or disproportional, reasonableness of that character is outside our Constitution and we are all agreed that a tax at an arbitrary rate which is not a proportional distribution of public expense is not permitted by the fundamental law. *State v. Express Co.* 60 N. H. 219.

III. The third inquiry relates to "a tax . . . upon gasoline or motor vehicle fuels of like nature sold in this State, at the flat rate, for example, of two cents on every

gallon sold, or an excise tax on the sale of gasoline." A tax levied upon the privilege of selling gasoline is clearly outside the power to levy "proportional and reasonable assessments, rates and taxes." *State v. Express*, 60 N. H. 219; *Curry v. Spencer*, 61 N. H. 624. But your inquiry seems to suggest that what is intended is not the levy of a tax, but rather that the purpose in view is to fix a charge, or toll, for the use of the public highways of the State. It is within the legislative power to provide that all highways, or any specified highways, shall be toll roads, and open to travel only upon the payment of a specified charge.

"Although, ordinarily, turnpikes are built and owned by corporations created by the State, for the purpose of constructing and maintaining them, what the State may do indirectly through such agencies it may do directly; that is, it may itself lay out and construct such improved public roads, and charge reasonable tolls to all persons using the same." *Kane v. Titus*, 81 N. J. L. 594, 597. Many instances might be cited where governmental undertakings are supported in whole or in part by charges made upon those who avail themselves of the advantages afforded thereby. Water works, sewers, wharves, locks and canals are often maintained in this manner. Charges made in this way are not taxes. "There is no analogy between the imposition of taxes and the levying of tolls for improvements of highways, and any attempt to justify or condemn proceedings in the one case, by reference to those in the other must be misleading. Taxes are levied for the support of government, and their amount is regulated by its necessities. Tolls are compensation for the use of another's property, or improvements made by him." *Sands v. Manistee etc. Co.*, 123 U. S. 288, 294.

Tolls that are reasonable in amount, and not discriminatory, have uniformly been upheld. Constitutional limitations upon the taxing power have no application to such a levy. *Carson v. Brockton*, 175 Mass. 242; S. C. 182 U. S. 398; *Merrimack River Savings Bank v. Lowell*, 153 Mass. 556, *Silkman v. Water Commissioners*, 152 N. Y. 327; *City of*

*East Grand Fork v. Luck*, 97 Minn. 373; *Wagner V. Rock Island*, 146, Ill. 139; *Ampt v. Cincinnati*, 56 O. St. 47; *Jones v. Water Commissioner*, 34 Mich. 273; *Huse v. Glover*, 119 U. S. 543; *Hendrick v. Maryland* 235 U. S. 610.

It is a matter of common knowledge that since the advent of the use of auto-motive vehicles upon highways large sums have been expended in making the conditions more favorable for that class of traffic. No reason appears why the legislature may not impose upon those who accept the benefits of such highway improvement and maintenance a reasonable charge for the use made. It is upon this ground that the state registration systems for automobiles have been sustained. The purpose of these laws is "to secure some compensation for the use of facilities provided at great cost from the class for whose needs they are essential and whose operations over them are peculiarly injurious." *Hendrick v. Maryland*, *supra*, 622.

It is apparent that the exaction of a toll as in the case of a bridge, could not be put into practical operation in reference to the present day use of highways generally. Some other measure of the use must be found, and the determination of what measure shall be adopted is within the province of the legislature. "No constitutional objection lies in the way of a legislative body prescribing any mode of measurement to determine the amount it will charge for the privilege it bestows." *Kane v. Titus*, *supra*, 598. "It is clearly within the discretion of the State to determine whether the compensation for the use of its highways by automobiles shall be determined by way of a fee, payable annually or semi-annually, or by a toll based on mileage, or otherwise." *Kane v. State of New Jersey*, 242 U. S. 150, 168.

While the payment proposed will not be an exact measure, yet it will so far approximate thereto as to be within the power of the legislature to adopt. The charge cannot be imposed upon sales of gasoline, etc. generally, but only when the commodity is sold for consumption in the operation of vehicles upon the highways. A charge so limited amounts to the same thing, in substance, as a toll for the

use of the highways, and may lawfully be imposed by the legislature.

IV. In 1911 the House of Representatives asked the opinion of the justices as to the validity of proposed legislation imposing a graduated inheritance tax upon property passing to lineal descendants.

Upon the question of the validity of provisions determining the rate to be imposed by the amount of property concerned, the justices in the time then available were unable then to answer the question. In 1919 a statute was enacted graduating the tax substantially as proposed in 1911. No case under this act has been brought before the court. The present inquiry as to the legality of such a tax upon collateral inheritance presents the same question.

As the House has seen fit to re-open the question which no one interested has so far cared to raise, we have no choice except to give the House the opinions we entertain.

In 1878 the legislature adopted "an act to defray the cost of Probate Courts." *Laws*, 1878, s. 74. This act provided that "all estates settled in the probate courts of this State and all transfers of property from the dead to the living, by gift, bequest or devise, and every succession made under the laws of this State, regulating the distribution of intestate estates . . . provided that all legacies or property passing by will or by the laws of this State to husband or wife, children and grandchildren of the person who died possessed as aforesaid, shall be exempt from tax or duty." This provision was incorporated in c. 64 of the General Laws, and a further limitation upon the exemption having been repealed (*Laws*, 1879, c. 57, s. 16) the constitutionality of the tax or duty, imposed by the foregoing language was assailed in *Curry v. Spencer*, 61 N. H. 624. In this case it was decided in 1882 that the tax thereby sought to be imposed could not be upheld because "immunity from disproportional taxation being expressly reserved in our bill of rights, and the power of proportional taxation only being granted," no ground was found upon which the tax could be upheld "for" it is said in the opinion "if it is to be re-



garded as a tax on property, it is open to the objection of unequal and double taxation, and if it is to be regarded as a tax upon a civil right or privilege, it is discriminating and disproportional." This decision was accepted as a correct exposition of the principles of the existing constitution as applied to legislation of this character, and at the next session of the legislature the statute was repealed *in toto*. *Laws*, 1883, c. 50. In the constitutional convention of 1903 propositions apparently intended to leave the whole matter of taxation to the discretion of the legislature were rejected, as was also a resolution introduced by Mr. Ham of Portsmouth authorizing the imposition of "assessments, rates, and taxes upon the estates of deceased persons, or upon bequests, devises or inheritances, exceeding \$10,000, said rates to be graded or proportioned in such way or manner as the general court may direct." *Jour. Conv.* 1903, pp. 249-250-594-628. The resolution finally adopted when presented to the convention for approval made the proposed article read: "The public charges of government, or any part thereof, may be raised by taxation upon polls, estates, and other classes of property including franchises and the transfer or succession of property by will or inheritance." By amendment at this stage the words "the transfer and succession of property" were stricken out and the words "property when passing" inserted in their place. *Jour. Conv.* 1903, pp. 595-601-625-626.

The language adopted and the discussion show conclusively that the convention had in mind the taxation of property as distinguished from privilege and that it was intended to meet the objection raised in *Curry v. Spencer* that as a taxation of property an exaction of this character was "unequal and double taxation." In this form the amendment was submitted to and adopted by the people. In *Thompson v. Kidder*, 74 N. H. 89, the existing statute which exempts from its provisions property passing to direct heirs and for charitable and public purposes was attacked because of necessary conflict with fundamental provisions of the constitution and because it did not apply

to all property passing by will or inheritance. In this case it was thought to be unnecessary to define with scientific accuracy the nature of the tax because of the express language by which it was authorized. The statute was upheld in spite of the disproportion, inequality, and double taxation necessarily involved when the tax was considered in relation to other taxation because its express authorization disclosed an intent on the part of the people to subject themselves to such disproportion, inequality and double taxation as could not be avoided if the tax were imposed. The law was found to be an equal law as applied to all persons alike and the objection that all property was not taxed was supported by the familiar rule in this jurisdiction that only such property is taxable as the legislature declares shall be taxed. Whether the theory of the amendment and the law that the exaction is a tax upon property is correct, or not, is immaterial upon the question of power to impose such a tax, but the plain understanding that it was a property tax limits the extent of the power in its practical application. In this State probably no constitutional principle is better understood than that the taxation of property requires a proportional valuation and a uniform rate. It is conceded by all the authorities that a property tax graded by the amount of property is in conflict with the provisions requiring equality and uniformity which pervade all the constitutions.

The proposition whose constitutionality is submitted by the resolution of the House of Representatives contemplates taxation of this character by a rate increasing arbitrarily at fixed points according to the value of the property upon which it is imposed.

The proposal apparently is an attempt to exercise the powers proposed in the resolution of Mr. Ham which was rejected by the convention. Upon the question of the constitutionality of such legislation the cases are in conflict. They have all been carefully examined, but in the view of the question herein taken their discussion would not be useful. Jurisdictions in which to sustain the legislation it has been necessary to investigate the nature of the tax and in which

it has been ascertained that it is a privilege and not a property tax, and that hence the general limitations applicable to property taxation are not involved do not aid here where taxation of property passing by will or inheritance is specifically authorized. The only question is the extend of the power intended to be conferred by the amendment of 1903. In the light of the proceedings in the convention and the language in which the proposed amendment was submitted to the people, it seems to us clear that the matter in hand was regarded, perhaps incorrectly, as a property tax and that from the permission given for the imposition of such a tax, it cannot be inferred that it was intended that the ordinary and familiar rules of property taxation should be disregarded except in so far as is necessary to the imposition of any tax of this character. An inheritance tax can be made equal and proportional in so far as to render it uniform upon all property upon which it is imposed. The questions submitted, in our opinion in *Thompson v. Kidder*, where after reaching the conclusion that "the purpose to authorize such a tax being clear, the intent to avoid any existing provision contrary thereto follows" it is said: "but although the power to impose an inheritance tax is clear, it must be exercised so far as possible in accordance with all other provisions of the constitution."

The proposed legislation lacks equality and uniformity which can be given to an inheritance tax, and in our opinion is beyond the power intended to be given by the amendment of 1903.

FRANK N. PARSONS,  
JOHN E. YOUNG,  
ROBERT J. PEASLEE,  
WILLIAM A. PLUMMER.

APRIL 2, 1923.

TO HON. WILLIAM J. AHERN,  
*Speaker of the House of Representatives:*

In accordance with the established practice (77 N. H. 611, 618), the undersigned justices separately submit the following answer to the first question presented in your communication of March 21:

It is understood that your question presupposes the exemption from taxation of the several classes of property yielding the income proposed to be taxed, or the omission of such classes from the list of taxable property. Upon this assumption, the question is in substance the same that was considered and answered by the justices of this court in 1915. (77 N. H. 611.) At that time, four of the justices advised that the proposed legislation was within the power of the legislature. In that opinion, the learned justices marshalled the available authorities favorable to the constitutionality of the proposed act as an assessment in the nature of an income tax, but concluded that it was unnecessary to express an opinion as to the validity of an income tax as such, since they found sufficient justification for the proposed act as a property tax (page 617). The remaining justices expressed the view that the contemplated tax was an income or excise tax, and as such was wholly without constitutional warrant (page 618), but further concluded that whether it were deemed an income or a property tax, it was unauthorized. After an examination of these opinions and the authorities cited, and after such further investigation as the limited time has permitted, I find myself in accord with the conclusion of the minority.

Difference of opinion as to the character of a tax on incomes is not confined to the members of this court. There is a decided conflict of authority among the few cases in which courts of last resort have passed upon the question whether a tax on incomes is a property tax, 11 A. L. R. 313, note (1920). There are well considered authorities which agree with the minority of 1915 that a tax upon incomes is an excise tax. *Railroad v. Slack*, 100 U. S. 595, 25 L. ed. 647; *Springer v. United States*, 102 U. S. 586, 26 L. ed. 253; *Flint v. Stone Tracy Co.*, 220 U. S. 107, 55 L. ed. 389, 413. The distinction between an excise tax and a property tax, and the reasons why the former is in violation of the provisions of the constitution are exhaustively and ably treated in the minority opinion of 1915. It is not deemed necessary further to discuss this feature here. It

is sufficient to say that in so far as the proposed tax upon incomes is regarded as an excise tax, that is, a tax upon the transfer, it is not a tax upon "polls, estates and other classes of property including franchises and property when passing by will or inheritance," as limited by the constitution, Part 11, Article 6, as amended in 1903. This lack of constitutional authorization is entirely independent of the lack of proportionality in the tax (Const., Part 11, Article 5) due to the impossibility of correlating taxes of such diverse natures as property taxes and income taxes. There is thus a double constitutional barrier to the tax if it be construed as an income or excise tax.

But there seems to be no attempt to justify the proposed tax as an income tax, that is, as a tax upon the transfer of the income from the debtor to the creditor. It is sought rather to distinguish it from such a tax. It is supported as a tax upon specific property in the hands of the creditor, namely the money or other medium of exchange received by him by way of income on credits. In other words, it is sought to focus the tax-making camera upon the fund the instant following its receipt, after it has lost character as income and has become property, but before it has become a part or parcel of other property of its kind in the hands of its owner. This appears to be a statement of the plan most consistent with the theory that the proposed tax is a tax upon property other than the credit from which it is derived. Stated thus most favorably to enable the contemplated legislation to pass the constitutional barrier limiting taxation to "polls, estates and other classes of property . . ." it is, in my opinion, still in conflict with the further constitutional requirement of proportionality. *Constitution*, Part II, Art. 5.

Assuming that the proposed tax is in form, as claimed, a tax upon the specific income rather than upon the credit from which it is derived, nevertheless it violates the rule of proportionality. It is true that the plan of taxation stated in the question avoids disproportion in the rate, but it does not avoid the disproportion arising from applying the rate

to only a part of the value of the property which is, in fact, sought to be reached. This becomes evident when we analyze what is to be done. It is proposed to remove from the list of taxable property stocks, bonds and other interest-bearing credits and indebtedness (and presumably cash on hand), and to substitute as a new taxable class the income derived therefrom as dividends and interest, whenever received within the taxable year, disregarding their form and character as well as their existence or non-existence on the taxing date. The proposed act would by indirection disregard the rule of proportion, not by applying a different rate, nor by directly assessing "stocks, bonds and other interest-bearing credits and indebtedness" at a percentage of their value, but by dividing each class into two parts, principal and income, and assessing the smaller part at the uniform rate and exempting the larger part.

As respects the character of an income tax, however, courts have not only differed upon the question whether it is an excise tax or a property tax, but courts holding the latter view are again divided as to whether it is a tax on the property in the specific income or upon the credit from which it is derived. If it be a property tax, the latter view seems to me to be the correct one. "A tax upon income from money on deposit or at interest from bonds, notes or other debts due, and as dividends from stocks, coupled with exemption from all other taxation of the principal from which such income flows, is in substance and effect a tax upon the property from which it is derived. A tax upon the income of property is in reality a tax upon the property itself. Income derived from property is also property. Property by income produces its kind, that is, it produces property and not something different. It does not matter what name is employed. The character of the tax cannot be changed by calling it an excise and not a property tax. In its essence a tax upon income derived from property is a tax upon the property." *Opinion of Justices*, 220 Mass. 613, (1920), *Pollock v. Company*, 158 U. S. 601, 39 L. ed. 1108. It is useless to disguise the plain facts by quibbling

over the name to be given to the proposed tax, or by disregarding the inevitable operation of the proposed legislation. Until income has been paid over to the creditor, it is a part of the credit. When received by the creditor, it immediately takes on the character of the class of taxable or non-taxable property of which it becomes a part. To reason otherwise is to rest a conclusion upon a theory that income once received remains a separate entity for the purpose of taxation and for no other purpose, when, as a matter of fact, it is income only in its transition. To consider that upon its receipt it is not immediately swallowed up in the class of "property" to which it is added, whether that class be money on hand or money at interest, etc., is by fiction to apply to this piece of property a constructive existence as a separate fund, contrary to the truth. The one permissible inequality under the constitution is that existing between taxed and untaxed property. 76 N. H. 625. But the implied power of the legislature to classify property as taxable and non-taxable has never been considered as authorizing the sub-division of a given class of property into parts which can be identified only by fictitious or constructive distinctions. The principle is not materially different whether we call it "income" which it has been but which it is not, or whether we call it what it is, a "percentage" either of the money invested or of the money on hand with which immediately upon its receipt, it becomes indistinguishably mingled. It cannot be singled out from the class of which it is a part and made taxable in disregard of the taxability or otherwise of the remainder of its class, or taxed at a different rate than such remainder, without violating the constitutional rule of proportion.

The average rate of taxation for 1922 was 2.44% (*Tax Commissioners Report* 1921, p. 3). It can scarcely be claimed that a tax at this rate upon the income of all stocks, bonds and other interest-bearing credits and indebtedness will impose a tax upon these classes of property proportionate to the taxes assessed upon other property. "The constitutional rule of equality requires a proportional and

equal valuation of the different kinds of property." *Company v. Manchester*, 70 N. H. 200, 204; *Opinion of Justices*, 76 N. H. 528, 593.

If by indirection the result sought by the proposed legislation can be accomplished as respects money at interest, it can be accomplished as to any other subject or class of taxable property. For instance, the advocates of protection of growing timber might, without the constitutional amendment they have been seeking, find a remedy for their difficulty in an act assessing the appraised value of the current year's growth of the timber and by exempting from taxation the balance of its value. Or, if it would be more in accordance with justice, such taxable value might be fixed at 6% as a fair average and exempting the other 94% of its value. Calling it "annual income" or "annual growth" does not create a character not otherwise existing, justifying a classification as a distinct class of property.

In other words, disproportion in taxation within the meaning of the constitution can be accomplished as effectually by taxing a part of a given class of taxable or non-taxable property and giving it a fictitious name as by varying the rules governing the ascertainment of value, or by varying the rate. There is no limit to the diverse classifications which might be made once we embark on this method. To adopt such a method would be as effectual an elimination of the word "proportional" from the constitution as if the people had adopted the recent proposed amendment. The people have declined to do it. It cannot be done by judicial construction.

The same principles apply to the consideration of the second question. In my opinion, the first and second questions should be answered in the negative. As to the third and fourth questions propounded, I join with the other justices in the answers given in their opinion.

(Signed)

APRIL 2, 1923.

LESLIE P. SNOW.



The gentleman from Concord, Mr. Newton, moved that the clerk be instructed to secure double the number of journals of this date. It was so voted.

On motion of Mr. Snow of Whitefield, at 8 o'clock the House adjourned.

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## TUESDAY, APRIL 3, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

## LEAVES OF ABSENCE.

Mr. Hayward of Berlin was granted leave of absence for the week on account of death in family.

Messrs. Sawtelle of Rindge, and O'Neill of Dover, were granted leave of absence for the week on account of business.

Messrs. Winant of Concord, Wright of Sanbornton, Balch of Bennington, Mortenson of Gorham, and Garneau of Franklin, were granted leave of absence for the day on account of business.

Mr. Weeks of Gilford was granted leave of absence for the day on account of illness.

Messrs. Healey of Manchester, and Bridgeman of Hanover, were granted leave of absence for the week on account of illness.

## MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 66 (New Draft), An act relating to trespass upon improved land.

House Bill No. 107 (New Draft), An act relating to the sale of farm produce.

## REPORTS OF COMMITTEES.

Mr. Converse of Lyme, for the Committee on Engrossed Bills, reported that the Committee has examined and found

correctly engrossed the following entitled bills and Joint resolution:

House Bill No. 346, An act relating to the taxation of national bank stock.

House Bill No. 337, An act to legalize the vote and action of the Grafton County Delegation held on the seventh day of March, 1923.

House Joint Resolution No. 34, Joint resolution for establishing a free bridge in the Town of Monroe.

The report was accepted.

Mr. Winant of Concord for the Committee on Labor, to whom was referred House Bill No. 270, An act relating to Union Label Water Mark on State paper, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Winant of Concord for the Committee on Labor, to whom was referred House Bill No. 19, An act relating to hours of employment, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Winant of Concord for the Committee on Labor, to whom was referred House Bill No. 151, An act relating to contracts for labor, reported the same with the recommendation that the bill ought to pass.

On motion of Mr. Stanley of Lincoln it was voted that the bill and report be recommitted to the Committee on Labor.

Mr. Winant of Concord, for the Committee on Labor, to whom was referred House Bill No. 87, An act Regarding Construction of Buildings, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Bass of Peterborough, for the Committee on Ways

and Means, to whom was referred House Bill No. 154, An act declaring pumps and tanks employed in the distribution and sale of gasoline and other motor vehicle fuels to be subject to taxation, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Bass of Peterborough, for the Committee on Ways and Means, to whom was referred House Bill No. 156, An act declaring fixtures and furniture of merchants, shopkeepers, mechanics, tradesmen and manufacturers to be taxable, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Bass of Peterborough, for the Committee on Ways and Means, to whom was referred House Bill No. 191, An act in amendment of the laws relating to legacy and succession taxes, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. Wood of Portsmouth the bill was re-committed to the Committee on Ways and Means.

Mr. Bass of Peterborough, for the Committee on Ways and Means, to whom was referred House Bill No. 192, An act relating to the tax upon the transfer at death of personal property of non-residents, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. Wood of Portsmouth the bill was re-committed to the Committee on Ways and Means.

Mr. Stevens of Landaff for the Committee on Ways and Means, to whom was referred House Bill No. 139, An act authorizing the Town of Littleton to exempt from local taxation the real and personal property of the Holly Shoe Company of said town, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Stevens of Landaff, for the Committee on Ways and Means, to whom was referred House Bill No. 202, An act in amendment of Sub-section 7 of Section 7 of Chapter 55 of the Public Statutes, declaring tractors to be a subject of taxation, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Stevens of Landaff, for the Committee on Ways and Means, to whom was referred House Bill No. 231, An act in amendment of Section 1 of Chapter 41 of the Laws of 1921, relating to the exemption from taxation of the property of educational, charitable, religious and other societies and institutions, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

On motion of Mr. Wood of Portsmouth, it was voted that the bill be recommitted to the Committee on Ways and Means.

Mr. Stevens of Landaff, for the Committee on Ways and Means, to whom was referred House Bill No. 267, An act to amend Chapter 38, Laws of 1913, "An act for the bi-weekly payment of all State employees except salaried officers," reported the same, with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Cobleigh of Nashua, for the Committee on Revision of Statutes, reported the following entitled Bill, House Bill No. 353, An act relating to pensions for employees of the city of Nashua, with the recommendation that the bill be printed and referred to the special committee consisting of the Nashua Delegation.

On motion of Mr. Cilley of Manchester, the rules were suspended, the bill read a first and second time by title,

tabled to be printed, and referred to a Special Committee consisting of the Delegation from Nashua.

Mrs. Yantis of Manchester, for the Committee on Public Health, to whom was referred House Bill No. 284 (New Draft), An act to regulate bakeries and bakery products, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Gilchrist of Henniker, for the Committee on Public Improvements, to whom was referred House Bill No. 170, An act to establish a continuous highway from Smith's Corner to the Town of Londonderry to the State Line at Dracut, Massachusetts, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend House Bill No. 170 by striking out the last two words of line nine in Section 1 and the whole of lines ten and eleven and inserting in place thereof the following: "to Smith's Corner, so-called, in the Town of Pelham, thence to Pelham Center, thence to the State line at Dracut, Massachusetts," so that said section as amended shall read:

"SECTION 1. The highway commissioner may designate for improvement by suitable description, subject to the approval of the Governor and Council, whenever in his opinion the public good so requires, a continuous highway beginning at the junction of the Rockingham Road at Smith's Corner, so-called, in the Town of Londonderry, thence continuing over the Mammoth Road, so-called, through the Town of Londonderry, West Windham in the Town of Windham to Smith's Corner, so-called, in the Town of Pelham, thence to Pelham Center, thence to the State line at Dracut, Massachusetts."

The report was accepted, the amendment adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Butler of Hillsborough for the Committee on Banks, to whom was referred House Bill No. 350, An act in amend-

ment of Section 1, Chapter 45, Laws of 1905, as amended by Chapter 25, Laws of 1915, entitled: "An act for the protection of savings banks and other savings institutions," reported the same with the recommendation that the bill ought to pass.

Read a first and second time, tabled to be printed and taken up in the regular order.

Mr. Cronin of Portsmouth for the Committee on Judiciary, to whom was referred House Bill No. 217, An act to protect fish and farm lands from pollution by sawdust and other waste, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lyford of Concord for the Committee on Judiciary, to whom was referred House Bill No. 272, An act in relation to the State Tax Commission, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Martin of Concord for the Committee on Judiciary, to whom was referred House Bill No. 222, An act relating to damages happening in the use of highways, and repealing Section 1, Chapter 59, Laws of 1893, as amended by Chapter 48, Laws of 1915, and repealing Sections 7, 8, 9 and 10 of Chapter 76 of the Public Statutes, and any other statute inconsistent with this act, reported the same in new draft and new title with the recommendation that the bill in its new draft and new title ought to pass.

Read a first and second time by title under a suspension of the rules on motion of Mr. Martin of Concord, tabled to be printed and taken up in its regular order.

Mr. Jewett of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 195, An act declaring every child to be the legitimate child of its natural parents; making such child an heir of such parents and providing the procedure for establishing parentage; and in addition to

Chapter 87 of the Public Statutes, reported the same in new draft and new title with the recommendation that the bill in its new draft and new title ought to pass.

Read a first and second time by title under a suspension of the rules on motion of Mr. Martin of Concord, tabled to be printed and taken up in its regular order.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 297, An act in amendment of Section 14, Chapter 192, of the Public Statutes, relating to the reports of commissioners, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Normandin of Laconia, for the Committee on Judiciary, to whom was referred House Bill No. 298, An act in amendment of Section 1 of Chapter 192 of the Public Statutes relating to the acceptance of commissioner's reports, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Lyford of Concord, for the Committee on Judiciary, reported the following entitled bill, House Bill No. 351, An act in amendment of Chapter 177 of the Laws of 1917, entitled, "An act to more effectively restrain agreements to regulate and fix prices of commodities in this state and to restrain combinations and monopolies in commodities and provide penalties therefor," with the recommendation that the bill ought to pass.

Read a first and second time by title under a suspension of the rules on motion of Mr. Martin of Concord, tabled to be printed, and taken up in its regular order.

Mr. Cronin of Portsmouth, for the Committee on Judiciary, reported the following entitled bill, House Bill No. 352, An act to legalize the annual meeting of the Conway Village Fire District held on the twenty-sixth day of March, 1923, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Phillips of Concord, the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time, passed and sent to the Senate for concurrence.

Mr. Nyberg of Manchester for the Committee on Judiciary, to whom was referred Senate Bill No. 7, An act in relation to the foreclosure of power of sale mortgages of real estate, reported the same, in new draft, with the recommendation that the bill in its new draft ought to pass.

Read a first and second time, tabled to be printed and taken up in its regular order.

Mr. Smith of Peterborough, for the Committee on Judiciary, to whom was referred House Bill No. 35, An act in amendment of Chapter 121, Section 1, Laws of 1919, relating to the fiduciary powers of banks and trust companies, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The undersigned being a minority of the Committee on Judiciary, to whom was referred House Bill No. 35, An act in amendment of Chapter 121, Section 1, Laws of 1919, relating to the fiduciary powers of banks and trust companies, and being unable to agree with the majority, reported the same with an amendment, with the recommendation that the bill as amended ought to pass.

BERNARD JACOBS,  
IVORY C. EATON.

Mr. Jacobs of Lancaster moved to substitute the report of the minority for that of the majority, and that the bill with the two reports and motion pending, be made a Special Order for tomorrow at 11.01.

The vote was against the motion for the Special Order.

(Discussion ensued.)

The vote was against the substitution, and the report and resolution of the majority adopted.



## REGULAR ORDER.

The following bills having been printed and distributed were taken from the table, and ordered to a third reading:

House Bill No. 325 (In New Draft), An act to regulate the sale of grain.

House Bill No. 281 (In New Draft and Title), An act in amendment of Sub-division (a), Section 14, Chapter 133, Laws of 1915, as amended by Section 5, Chapter 184, Laws of 1917, as amended by Section 3, Chapter 152, Laws of 1919, as amended by Section 1, Chapter 141, Laws of 1921, relating to open season on deer.

## REPORT TAKEN FROM THE TABLE.

On motion of Mr. Murdock of Hill it was voted that the report of the State Board of Health as to its activities in the protection of maternity, be taken from the table and referred to the Committee on Appropriations.

## RESOLUTIONS.

Mr. Murdock of Hill presented the following resolution:

*Resolved*, That the Committee on Public Health be discharged from further consideration of House Bill No. 32, and is hereby directed to report the bill to the House today without recommendation, for consideration in regular order tomorrow, Wednesday.

(Discussion ensued.)

Mr. Murdock of Hill withdrew the resolution.

Mr. Lee of Concord presented the following resolution:

*Resolved*, That the chairman of the Committee on Appropriations report to this House a statement of the requests made by the various state departments and institutions for maintenance and expenses for the years 1923-1924 and 1924-1925, and also an estimate of the special requests made by measures before the legislature.

The resolution was adopted.

On motion of Mr. Wood of Portsmouth a recess of one hour was taken.

(After recess.)

## SPECIAL ORDER.

Mr. Barry of Nashua called for the Special Order for 11.01, it being:

House Bill No. 124, An act in relation to criminal identification, report of majority, ought to pass, minority report inexpedient to legislate, and motion of Mr. Barry of Nashua to substitute the report of the minority for that of the majority.

The question being on the substitution, discussion ensued.

The question being put, Mr. Barry of Nashua called for a division. A division was had with the following result:

For the substitution: 120.

Against the substitution: 112.

It appearing that less than two-thirds of the members were present and the vote for the substitution, being less than two-thirds of those present, the vote was of no effect and the matter placed in unfinished business.

## POLL OF HOUSE.

The Speaker called for a poll of the House and it appeared that 241 members were present.

## SPECIAL ORDER.

Mr. Duncan of Jaffrey called for the second Special Order, it being House Bill No. 5, An act to promote the raising of live stock by exemption of live stock from taxation, majority report, inexpedient to legislate, minority, ought to pass and motion of Mr. Bass of Peterborough to substitute the report of the minority for that of the majority.

On motion of Mr. Duncan of Jaffrey it was unanimously voted that the matter be made a Special Order for tomorrow at 11.02.

Mr. Burke of Manchester called for the third Special Order, it being the third reading of House Bill No. 27, An act relating to the registration of motor vehicles.

On motion of Mr. Burke of Manchester, it was unanimously voted that the matter be made a Special Order for 11.03.

On motion of Mr. Lyford of Concord, it was unanimously voted that the clerk obtain the usual number of extra copies of House Bill No. 302 (In New Draft), An act to regulate the shipment of live stock.

On motion of Mr. Hutchins of Berlin, at 2.59 the House adjourned from the morning session.

### AFTERNOON.

The House met at 3 o'clock.

### THIRD READINGS.

The following bill was read a third time, unanimously passed, and ordered to the Senate for concurrence:

House Bill No. 302 (New Draft), An act to regulate the shipment of live stock.

On motion of Mr. Aiken of Franklin, the further third readings were by title under a suspension of the rules.

The following bill was read a third time, unanimously passed and ordered to the Senate for concurrence:

House Bill No. 141, An act in amendment of Chapter 133, Laws of 1915, relating to fish and game.

The following bill was read a third time:

House Bill No. 254, An act in amendment of Chapter 59 of the Laws of 1901, as amended by Chapter 79 of the Laws of 1915, as amended by Chapter 109 of the Laws of 1919, relative to veterinary surgeons.

On motion of Mr. Wood of Portsmouth, it was unanimously voted that the bill be indefinitely postponed.

On motion of Mr. Cheney of Concord, at 3.30 the House adjourned.

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### WEDNESDAY, APRIL 4, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the

House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 4, An act repealing Section 11 of Chapter 55 of the Public Statutes, relating to the exemption from taxation of manufacturing establishments.

House Bill No. 294, An act in amendment of Chapter 109, Session Laws of 1915, An act to provide for the incorporation and management of trust companies and similar corporations.

The message further announced that the Senate has voted to concur with the House of Representatives in its amendments to the following bills:

Senate Bill No. 5, An act relating to the fees of sheriffs and deputy sheriffs.

Senate Bill No. 14, An act to amend Section 21 of Chapter 287 of the Public Statutes, as amended by Section 1 of Chapter 78, Laws of 1907, and Section 1 of Chapter 136, Laws of 1919, relating to pay of jurors.

#### LEAVES OF ABSENCE.

Mr. Cobleigh of Nashua, and Mrs. Yantis of Manchester, were granted leave of absence for the day on account of business.

Mr. Weeks of Gilford, was granted leave of absence for the week on account of illness.

Mr. Farnsworth of Washington, was granted leave of absence for the week on account of business.

#### COMMITTEE REPORTS.

Mr. Converse of Lyme, for the Committee on Engrossed Bills, reported that the Committee has examined and found correctly engrossed the following entitled bills:

Senate Bill No. 5, An act relating to the fees of sheriffs and deputy sheriffs.

Senate Bill No. 14, An act to amend Section 21 of Chapter 287 of the Public Statutes, as amended by Section 1 of Chapter 78, Laws of 1907, and Section 1 of Chapter 136, Laws of 1919, relating to pay of jurors.

Senate Bill No. 23, An act to authorize the governor to accept gifts of personal property to the state.

House Bill No. 66 (In New Draft), An act relating to trespasses upon improved land.

House Bill No. 148, An act in amendment of Section 18, Chapter 119, of the Session Laws of 1921, relating to operating motor vehicles while under the influence of intoxicating liquor.

House Bill No. 160, An act permitting the collection of birds, their nests and eggs, wild animals and fish, for scientific purposes.

House Bill No. 247, An act relating to the taking of deer.

House Bill No. 316, An act to authorize towns to raise money towards the support of a resident physician.

House Bill No. 323, An act relating to open air concerts in the City of Manchester.

The report was accepted.

On motion of Mr. Fernald it was voted that the rules be suspended and the first reading of new bills be by title.

Mr. Walker of Unity for the Committee on Forestry, reported the following entitled bill, House Bill No. 354, An act to provide for the taxation of growing timber on woodlots not exceeding fifty acres, with the recommendation that the bill be printed and recommitted to the Committee on Forestry.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a first and second time by title, tabled to be printed, and referred to the Committee on Forestry.

Mr. Walker of Unity for the Committee on Forestry, reported the following entitled bill, House Bill No. 355, An act for the conservation, valuation and taxation of the forests of the state, with the recommendation that the bill be printed and recommitted to the Committee on Forestry.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a first and second time by title, tabled to be printed, and referred to the Committee on Forestry.

Mr. Walker of Unity for the Committee on Forestry, to

whom was referred House Bill No. 345, An act relating to shade trees in highways and other public places, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 1 by striking out in line 2 the words: "shall and" and inserting in place thereof the word "or" so that said section, as amended, shall read as follows:

SECTION 1. The selectmen of towns and the mayors of cities or ten other citizens may in each year nominate for appointment by the State Forester as town tree warden one or more persons by them known to be interested in planting, pruning, and preservation of shade and ornamental trees and shrubs in public ways, parks and grounds. After investigation the State Forester may choose and appoint from the persons recommended as above prescribed one competent person in each town or city to be the tree warden for said town or city. It shall be the business of the tree warden to perform the duties hereinafter specified and he shall be allowed such compensation for services and expenses as the mayor or selectmen may deem reasonable.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

#### SPECIAL REPORT

Mr. Barry of Nashua, pursuant to the resolution of the House of April 3, presented the following report:

#### REPORT OF THE CHAIRMAN OF THE COMMITTEE ON APPROPRATIONS

HON. WILLIAM J. AHERN,  
*Speaker of the House of Representatives,  
Concord, N. H.*

DEAR SIR:

Complying with the resolution adopted April 3d by the House, I submit the following statement:

The resolution does not call for any estimate of the income of the State. In examining the many calls on the treasury of the State, it would be convenient for the members to have the income, as estimated by the treasurer, before them, so I submit the same.

## 1923-1924

State Tax, if same as in year 1922-1923. . . . .	\$1,500,000.00
Estimated revenue for general purposes (same as for year ending June 30, 1922). . . . .	1,794,766.30
Lapsed appropriations for the same year (see Treasurer's report, page 92). . . . .	120,794.91
	<hr/> \$3,415,561.21

## 1924-1925

Same as above (less lapsed appropriations). . . . .	<hr/> \$3,294,766.30
Total for the two years. . . . .	<hr/> \$6,710,327.51

*Estimates by Departments and Institutions for Expenses and Maintenance.*

<i>Departments and Institutions.</i>	<i>Year ending June 30, 1924.</i>	<i>Year ending June 30, 1925.</i>
Executive Department	\$42,600.00	\$44,600.00
Secretary of State	20,350.00	27,850.00
Treasury Department	17,700.00	16,950.00
Insurance Department	20,250.00	20,450.00
Bank Commission	20,400.00	20,400.00
Public Service Commission	41,400.00	41,400.00
Tax Commission	23,000.00	23,000.00
State Purchasing Agent	12,050.00	12,250.00
Attorney General's Department	35,900.00	36,600.00
Enforcement Prohibitory Law	17,350.00	17,750.00
Supreme Court	39,925.00	39,925.00
Superior Court	36,800.00	36,800.00
Probate Court	11,300.00	11,300.00
Probate Court Register	13,400.00	13,400.00
Legislature	15,000.00	175,000.00
State Board of Education	522,000.00	532,000.00
Board of Charities and Correction	6,850.00	7,750.00
Child Welfare Work	7,000.00	7,000.00
Tubercular Patients	40,000.00	40,000.00
Indigent, crippled and Tuberculous Children	3,000.00	3,000.00
Register of the Blind	11,300.00	11,300.00
Income John Nesmith Fund	3,700.00	3,700.00
Deaf, Dumb and Blind, Support and Education	30,000.00	30,000.00
Granite State Deaf Mute Mission	150.00	150.00
Bureau of Labor	10,050.00	10,950.00
Factory Inspection	11,400.00	11,400.00
Free Employment Bureau	3,950.00	3,950.00

<i>Departments and Institutions.</i>	<i>Year ending June 30, 1924.</i>	<i>Year ending June 30, 1925.</i>
Department of Weights and Measures	\$14,550.00	\$14,550.00
Department of Agriculture	23,150.00	24,150.00
Animal Industry	126,500.00	126,500.00
Apple Grading Law, etc.	20,250.00	20,250.00
Board of Health	30,650.00	32,150.00
Laboratory of Hygiene	17,300.00	18,800.00
Department of Vital Statistics	2,800.00	5,600.00
Adjutant General's Department	73,850.00	76,000.00
Forestry Department	77,300.00	78,100.00
Highway Department	455,000.00	455,000.00
Bounties—Hedgehogs, bears and grass- hoppers	3,800.00	3,800.00
Department of Indexing	1,850.00	1,850.00
G. A. R. Department	3,350.00	3,350.00
Pharmacy Commission	2,860.00	2,860.00
State Dental Board	650.00	650.00
Registration of Veterinary Surgeons	200.00	200.00
Board of Optometry	510.00	510.00
Board of Chiropractors	400.00	400.00
State House Department	41,610.00	41,610.00
State Library	17,550.00	17,650.00
Public Library Commission	5,150.00	5,300.00
Soldiers' Home	25,000.00	25,000.00
New Hampshire College	351,697.00	370,513.00
State Hospital	475,000.00	475,000.00
Industrial School	58,500.00	58,500.00
State Prison	77,000.00	77,000.00
School for Feeble-minded	140,000.00	140,000.00
State Sanatorium	91,520.00	91,520.00
Interest charges	72,401.48	72,051.48
Maturing Bonds	85,000.00	85,000.00
Miscellaneous:		
Military Organizations	300.00	300.00
Firemen's Relief Fund	4,000.00	4,000.00
Prisoners' Aid Association	200.00	200.00
Old Home Week Association	300.00	300.00
New Hampshire Historical Society	500.00	500.00
Medical Referees	50.00	50.00
Totals	\$3,317,573.48	\$3,528,089.48



*Requests made by Departments and Institutions for Appropriations to cover deficiencies for the year ending June 30, 1923.*

Department of Agriculture (Animal Industry)	\$35,000.00
State House Department (Rent Patriot Building)	4,750.00
State Hospital	30,000.00
<b>Total</b>	<b>\$69,750.00</b>

*List of Special Appropriations Asked For.*

<i>House Bill. No.</i>	<i>Year ending June 30, 1924.</i>	<i>Year ending June 30, 1925.</i>
17 Additional Justices Superior Ct. (2)	\$15,000.00	\$15,000.00
41 Revision of the Public Statutes	17,000.00	13,000.00
65 Highway, Walpole to Lebanon	indefinite	
68 " Carrol to Randolph	"	
80 " Hudson to Tyngsboro	"	
83 Rural schools	5,000.00	10,000.00
96 Apiaries	1,000.00	1,000.00
99 Highway, Lake Sunapee to Meredith	indefinite	
103 " Hudson to Salem	"	
111 Deputy Register Probate	100.00	100.00
122 Highway, Seabrook	indefinite	
124 Criminal Identification	2,500.00	2,500.00
130 Plumbers	indefinite	
170 Highway, Londonderry to Dracut	indefinite	
172 Salary Motor Vehicle Com.	\$250.00	\$250.00
193 Legislative Draft Bureau		2,500.00
199 Highway, Laconia to Pittsfield	indefinite	
211 Storage of Waters	5,000.00	indefinite
230 State Hospital	533,000.00	
232 Inspector of Creameries	5,000.00	5,000.00
248 Protection Apple Orchards	indefinite	
264 Bridges across Connecticut River	"	
278 D. W. in Lincoln	"	
282 Cross State Highways	"	
295 Salaries Registers Deeds and Probate	"	
313 Highway, Loudon to Gilmanton	"	
315 " Auburn to Haverhill	"	
324 " Gorham to Gilead, Me.	"	
326 Salary, Warden State Prison		
327 Fuel Commission	indefinite	
329 Public Librarian Salary	600.00	600.00
339 Highway, Ashland to Meredith	indefinite	
344 Bridges	"	

<i>House Joint Resolution. No.</i>	<i>Year ending June 30, 1924.</i>	<i>Year ending June 30, 1925.</i>
3 Normal Schools	\$225,000.00	
4 Maternity and Infancy	8,000.00	\$8,000.00
9 Highway, Dummer and Milan	7,000.00	7,000.00
11 Top. Maps	10,000.00	10,000.00
12 Highway, Sandwich Notch Road	300.00	200.00
14 " Jefferson	5,000.00	5,000.00
16 " Brookfield	1,000.00	1,000.00
17 Shaker Bridge	15,000.00	
18 Highway Sugar Loaf Road, repairs	200.00	200.00
19 Laboratory, Manchester	10,000.00	
20 Highway, Wing Road	2,000.00	2,000.00
21 Tuberculous Children	50,000.00	50,000.00
22 Old Home Week	500.00	
23 Chesterfield Bridge	3,369.19	
24 Expenses, Rep. Philbrick	71.83	
25 City of Concord, Claim of	18,000.00	
26 School, feeble-minded	84,000.00	
27 State Hospital	10,000.00	
28 Constitutional Convention	4,000.00	
29 Agricultural Fairs	2,500.00	2,500.00
30 Spanish War Veterans	5,000.00	
31 Highway, Tamworth (maintenance)	4,000.00	4,000.00
32 Stream Flow Gaging Stations	3,000.00	
33 Highway, Mason	4,000.00	
34 Monroe Bridge	2,000.00	
35 Highway, Dorchester to Lyme	400.00	
36 Advance Stages Tuberculosis	50,000.00	
37 Highway, Stewartstown to Colebrook (Main)	250.00	\$250.00
39 Highway, Concord to Belmont	15,000.00	15,000.00
40 Haverhill Bridge	10,000.00	
41 Trees on Forest lands	indefinite	
44 N. H. Agricultural College	248,890.00	
45 Highway, Freedom to Madison (Main)	1,400.00	1,400.00
46 N. H. State Sanatorium	17,500.00	
48 State Prison repairs	4,000.00	
49 Claim, K. R. Foster	61.17	
50 State Nursery	4,000.00	
51 Claim Dr. Jameson	42.85	
53 Highway Effingham	1,500.00	1,500.00
55 N. H. Veterans	5,000.00	5,000.00
56 Claim Henry Giddis	30.00	

<i>House Joint Resolution No.</i>	<i>Year ending June 30, 1924.</i>	<i>Year ending June 30, 1925.</i>
58 Highway, Profile House to Waterford Bridge	indefinite	
59 Trees and repair State House	\$2,500.00	\$2,000.00
<i>Senate Bill. No.</i>		
17 Salary State Agent of Blind	600.00	600.00
Totals	\$1,419,855.04	\$165,600.00

	<i>Summary</i>	
	<i>1923-1924</i>	<i>1924-1925</i>
Estimates by Departments and Institutions for expenses and maintenance . . .	\$3,317,573.48	\$3,528,089.48
Deficiency appropriations for year 1923. . .	69,750.00	
Special appropriations asked for. . . . .	1,419,855.04	165,600.00
	\$4,807,178.52	\$3,693,689.48
Deducting the estimated income and lapsed appropriations (see page 1). . . .	1,915,561.21	1,794,766.30
Leaves amount to be raised by State Tax if all requests are granted. . . . .	\$2,891,617.31	\$1,898,923.18

A further summary may be of interest to the House, as illustrating the financial situation.

If we consider only the requests by departments and institutions and the deficiency bills to cover the expenses of the current year, not taking into account any new legislation, the summary will show as follows:

	<i>1923-1924</i>	<i>1924-1925</i>
Estimated by departments and institutions	\$3,317,573.48	\$3,528,089.48
Deficiencies. . . . .	69,750.00	
	\$3,387,323.48	\$3,528,089.48
Estimated revenue and lapsed appropriations. . . . .	1,915,561.21	1,794,766.30
State Tax. . . . .	\$1,471,762.27	\$1,733,323.18

Respectfully submitted

Concord N. H.,  
April 4th 1923.

WILLIAM H. BARRY,  
*Chairman Committee on Appropriations.*

The report was accepted.

On motion of Mr. Barry of Nashua it was voted that the report be printed in the *Journal*.

## COMMITTEE REPORTS CONTINUED.

Mr. Littlefield of Newton, for the Committee on Education, reported the following entitled bill, House Bill No. 356, An act relating to the issue of bonds by the school district of the Town of Salem, with the recommendation that the bill ought to pass.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a first and second time by title, and tabled to be printed.

On motion of Mr. Phillips of Concord, the rules were suspended, the printing dispensed with, and the bill ordered to a third reading.

A majority of the Committee on Public Health, to whom was referred House Bill No. 242, An act relating to the vaccination of school children, reported the same with the recommendation that the bill ought to pass.

EMMA L. BARTLETT,  
DAVID F. JACKSON,  
WM. E. HICKEY,  
PATRICK J. DURKIN,  
LOUIS O. BOISVERT,  
JOHN O. BELLEROSE,  
JOSEPH NEWTON,  
JOHN H. MERRILL.

A minority of the Committee on Public Health, to whom was referred House Bill No. 242, An act relating to the vaccination of school children, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

HAMILTON A. KENDALL,  
HUBERT K. REYNOLDS,  
EFFIE E. YANTIS,  
C. CURTIS FIELD,  
HOMER H. MARKS,  
HAROLD E. HARTFORD,  
CHARLES P. JOHNSON.

Mr. Reynolds of Dover moved to substitute the report of the minority for that of the majority.

(Discussion ensued.)

Mr. Phillips of Concord moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being: Shall the report of the minority be substituted for that of the majority?, Mr. Mortenson of Gorham called for a division.

A division was had with the following result:

For the substitution: 130.

Against the substitution: 168.

The report of the majority was accepted, and the bill ordered to a third reading.

Mr. Mortenson of Gorham moved that the rules be suspended, and the bill be put upon its third reading and passage at this time.

The question being on the suspension of the rules, the Speaker on a *viva voce* vote was in doubt.

Mr. Fernald of Dover called for a division and a division was had with the following result:

For suspension: 201.

Against suspension: 90.

The rules were suspended, the bill read a third time by title under a suspension of the rules on motion of Mr. Cox of Manchester, passed, and ordered to the Senate for concurrence.

On motion of Mr. Callahan of Keene, it was voted that the House take a recess of one hour.

#### AFTER RECESS.

Mr. King of Concord for the Committee on Revision of Statutes, to whom was referred House Bill No. 149, An act in amendment of Chapter 221 of the Public Statutes, relating to arrests, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. King of Concord for the Committee on Revision of Statutes, to whom was referred House Bill No. 314, An act in amendment of Section 2, Chapter 120, Laws of 1909, relating to sentences to the State Prison, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, to whom was referred Senate Bill No. 16, An act for the punishment of persons issuing worthless checks, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, to whom was referred Senate Bill No. 18, An act to change the name of Nelson Aldrich Edgell to that of Stephen Maurice Edgell, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Fernald of Dover, the rules were suspended, and the bill put upon its third reading and passage at this time.

The bill was then read a third time by title, on motion of Mr. Craig of Manchester, under a further suspension of the rules, passed and ordered to the Secretary of State to be engrossed.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred Senate Bill No. 22, An act in amendment of Section 3, Chapter 24 of the Public Statutes, relating to the County Convention, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Cox of Manchester for the Special Committee consisting of the Hillsborough County Delegation, to whom was

referred Senate Bill No. 20, An act to provide for increase of salary for sheriff of Hillsborough County, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Burke of Manchester for the Special Committee consisting of the delegation from the City of Manchester, to whom was referred House Bill No. 332, An act to provide that the Fire Commissioners of the City of Manchester be elected by the people, reported the same with the recommendation that the bill ought to pass.

The undersigned, a minority of the Special Committee, consisting of the Manchester Delegation, to whom was referred House Bill No. 332, An act to provide that the commissioners of the City of Manchester be elected by the people, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

JOHN P. CRONAN,  
JAS. E. DODGE,  
A. W. DEMOULPIED,  
EFFIE E. YANTIS,  
HARRY T. LORD,  
HARRY B. CILLEY,  
ISAAC N. COX.

Mr. Cox of Manchester, moved to substitute the report of the minority for that of the majority.

The vote was against the substitution.

The report of the majority was accepted and the bill ordered to a third reading.

Mr. Burke of Manchester, of the Special Committee, consisting of the delegation from the City of Manchester, to whom was referred House Bill No. 338, An act to provide that the highway commissioners of the City of Manchester be elected by the people, reported the same with the recommendation that the bill ought to pass.

The undersigned, a minority of the Special Committee, consisting of the Manchester Delegation, to whom was re-

ferred House Bill No. 338, An act to provide that the highway commissioners of the City of Manchester be elected by the people, being unable to agree with the majority reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

JOHN P. CRONAN,  
JAS. E. DODGE,  
A. W. DEMOULPIED,  
EFFIE E. YANTIS,  
HARRY T. LORD,  
HARRY B. CILLEY,  
ISAAC N. COX,

Mr. Cox of Manchester moved to substitute the report of the minority for that of the majority.

The vote was against the substitution.

The report of the majority was accepted and the bill ordered to a third reading.

Mr. Burke of Manchester for the Special Committee consisting of the delegation from the City of Manchester, to whom was referred House Bill No. 343, An act to provide that the park commissioners of the City of Manchester be elected by the people, reported the same with the recommendation that the bill ought to pass.

The undersigned, a minority of the special committee consisting of the Manchester Delegation, to whom was referred House Bill No. 343, An act to provide that Park Commissioners of the City of Manchester be elected by the people, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

JOHN P. CRONAN,  
JAS. E. DODGE,  
A. W. DEMOULPIED,  
EFFIE E. YANTIS,  
HARRY T. LORD,  
HARRY B. CILLEY,  
ISAAC N. COX.



Mr. Cox of Manchester, moved to substitute the report of the minority for that of the majority.

The vote was against the substitution.

The report of the majority was accepted, and the bill ordered to a third reading.

On motion of Mr. Newton of Concord, it was voted that the rules be suspended and House Bills Nos. 332, 338 and 343 be put upon their third reading by title and passage at this time.

The three bills were then read a third time by title, passed, and ordered to the Senate for concurrence.

On motion of Mr. Kenney of Manchester, it was voted that the rules be suspended and Senate Bill No. 20, An act providing for an increase of salary for Sheriff of Hillsborough County, be put upon its third reading by title and passage at this time.

The bill was then read a third time by its title, passed, and sent to the Secretary of State to be engrossed.

Mr. Chandler of Conway for the Committee on Fish and Game, to whom was referred House Bill No. 349, An act in amendment of Section 1, Chapter 89 of the Laws of 1921, entitled: An act in amendment of the Fish and Game Laws, relative to the taking and possession of brook trout, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Stevens of Landaff moved that the bill be indefinitely postponed.

(Discussion ensued.)

Mr. Bass of Peterborough moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being: Shall the bill be indefinitely postponed?, the vote was in the affirmative and the bill was so postponed.

Mr. Martin of Concord for the Committee on Judiciary, reported the following entitled bill, House Bill No. 361, An act in amendment of Chapter 177, Laws of 1885, as amended

by Chapter 199 of the Laws of 1895, Chapter 153 of the Laws of 1897, Chapter 199 of the Laws of 1899, and Chapter 182 of the Laws of 1901, being the Charter of the Manchester Traction, Light & Power Company, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Martin of Concord, it was voted that the rules be suspended, the printing dispensed with, and the bill put upon its third reading by title and passage at this time.

The bill was read a third time, passed, and ordered to the Senate for concurrence.

Mr. Eaton of Nashua for the Committee on Judiciary, reported the following entitled bill, House Bill No. 360, An act relative to the law of the road, with the recommendation that the bill ought to pass.

The bill was read a first and second time, laid upon the table to be printed and taken up in its regular order.

Mr. Martin of Concord for the Committee on Judiciary, reported the following entitled bill, House Bill No. 357, An act to legalize the vote and proceedings at the annual town meeting holden in Colebrook, March, 1921, relating to exemption from taxation of Dr. Kerr's hospital, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Martin of Concord it was voted that the rules be suspended, the printing dispensed with, and the bill put upon its third reading by title and passage at this time.

The bill was read a third time, passed and ordered to the Senate for concurrence.

Mr. Davison of Haverhill, for the Committee on Judiciary, reported the following entitled bill, House Bill No. 359, An act in relation to standard time, with the recommendation that the bill ought to pass.

Read a first time.

Mr. Cotton of Nashua, moved that the bill be laid on the table.

The vote was against the motion.

The bill was then read a second time, laid upon the table to be printed, and taken up in its regular order.

Mr. Normandin of Laconia, for the Committee on Judiciary, reported the following entitled bill, House Bill No. 358, An act to authorize the school district of the Town of Claremont to raise and appropriate money at a special meeting therefor, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Martin of Concord, it was voted that the rules be suspended, the printing of the bill be dispensed with, and the bill be put upon its third reading by title and passage at this time.

The bill was then read a third time by title, passed and ordered to the Senate for concurrence.

Mr. Martin of Concord for the Committee on Judiciary, to whom was referred Senate Bill No. 24, An act to legalize the March meeting held on the 13th day of March, 1923, in the Town of Clarksville, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. Martin it was voted that the rules be suspended, and the bill be put upon its third reading and passage at this time.

The bill was then read a third time, passed and ordered to the Secretary of State to be engrossed.

Mr. Harris of Orford for the Committee on Education, to whom was referred Senate Bill No. 12, An act to require the teaching of the Constitution of the United States in the public and private schools of the State of New Hampshire, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title by striking out the whole and inserting in place thereof the following:

An act to require the teaching of the Constitutions of the United States and of New Hampshire in the public and private schools.

Amend Section 1 by striking out in lines 9 and 17 the word "Constitution" and inserting in place thereof the word "Constitutions"; further amend by inserting after the word "states" in lines 10 and 18 the words "and of this State" so that said section, as amended, shall read as follows:

SECTION 1. Amend Laws of 1921, Chapter 85, Part II, Section 2, by striking out these words "that the prescribed text-books are used, and that the Constitutions of this State and of the United States are read aloud at least once in each year of the last course below the high school" and inserting therefor the following: In all public and private schools located within the State of New Hampshire, commencing with the school year next ensuing after the passage of this act, there shall be given regular courses of instruction in the Constitutions of the United States and of this State, so that said section as amended shall read: SECT. 2. The school board shall see that the studies prescribed by the State Board of Education are thoroughly taught, especially physiology and hygiene in so far as it related to the effect of alcohol and narcotics on the human system. In all public and private schools located within the State of New Hampshire, commencing with the school year next ensuing after the passage of this act, there shall be given regular courses of instruction in the Constitutions of the United States and of this State. Any member of the board who neglects or refuses to comply with the provisions of this section shall forfeit two hundred dollars.

Amend Section 2 by striking out the word "Constitution" in line 1 and inserting in place thereof the word "Constitutions"; further amend by inserting after the word "States" in line 2 the words "and of this State" so that said section, as amended, shall read as follows:

SECT. 2. Such instruction in the Constitutions of the United States and of this State shall begin not later than the opening of the eighth grade and shall continue in the high school course to an extent to be determined by the State Board of Education.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 24, Joint resolution in favor of George I. Philbrick, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution ordered to a third reading.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 51, Joint resolution in favor of the Margaret Pillsbury General Hospital and Dr. James W. Jameson, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution ordered to a third reading.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 76, An act in amendment of Section 16 of Chapter 155, Laws of 1921, relating to the permanent construction of highway bridges throughout the state, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 56, Joint resolution in favor of Henry Giddis, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution ordered to a third reading.

On motion of Mr. Lord, the orders whereby Joint resolutions Nos. 24, 51, and 56 and House Bill No. 76 were ordered to a third reading were vacated, and the bill and Joint resolutions, under a suspension of the rules, put on their third reading and passage at this time.

The Joint resolutions and bill were severally read a third time, passed, and ordered to the Senate for concurrence.

## SPECIAL ORDER.

Mr. Wood of Portsmouth, called for the Special Order for 11.02 it being:

House Bill No. 5, An act to promote the raising of live stock by exemption of live stock from taxation, majority report, inexpedient to legislate, minority, ought to pass and motion of Mr. Duncan of Jaffrey to substitute the report of the minority for that of the majority.

Mr. Wood of Portsmouth, moved that the bill be indefinitely postponed.

Mr. Cheney of Concord in the Chair.

The Speaker in the Chair.

(Discussion ensued.)

Mr. Kenney of Manchester, moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being: Shall the bill be indefinitely postponed?, Mr. Duncan of Jaffrey, called for the Yeas and Nays.

The roll was called with the following result:

## YEAS, 166.

ROCKINGHAM COUNTY.—Griffin of Auburn, Pike, Tenney of Chester, White, Merrill of Exeter, Swain, Randall, Dow of North Hampton, Steward, Smith of Portsmouth, Trafton, Wood of Portsmouth, Cronin, Rand, Coles.

STRAFFORD COUNTY.—Cloutman, Reynolds, Webb, Fogg, Comings, Gotts, Gelinas, Gagne, Preston.

BELKNAP COUNTY.—Jones of Alton, Holmes, Sanborn of Center Harbor, Avery, French, Roberts of Meredith, Gordon of New Hampton, Smith of Tilton.

CARROLL COUNTY.—Hamlin, Willey, Currier of Conway, Ela, Fulton, Philbrick, Chick, Blanchard, Hoyt of Sandwich, Fall, Thomas, Hale.

MERRIMACK COUNTY.—Grimes, Tallman, Dodge of Concord, Rolfe, Robinson of Concord, Phillips, Newton of

Concord, Cressy, Kendall, Martin of Concord, King of Concord, Gannon, Aiken, Garneau, Mahan, Judkins, Newton of Franklin, Gilchrist, Murdock, Hill of Loudon, Cutting, Carter, Martin of Pembroke, Sanborn of Salisbury, Seavey.

HILLSBOROUGH COUNTY.—Flint, Butler, Childs, Hardy of Hollis, Spaulding of Hudson, Putnam, Cox of Manchester, Lord of Manchester, Johnson of Manchester, Grant, Fitzgerald, Kelley of Ward 5, Manchester, Kenney, Burke, Sibley, Foye, Healey, Quinn, Sullivan of Manchester, Leonard, Conboy, Riley, Blais of Manchester, Craig, Gauthier of Ward 12, Manchester, Lamy, Maynard, Duval, Gagnon, Gordon of Merrimack, Lovejoy, Ordway, Robinson of Milford, Pentland, Bass, Smith of Peterborough, Tobey.

CHESHIRE COUNTY.—Dewing, Spring, Firmin, Bemis, Callahan, Hopkins of Keene, Reed, Empey, Gates, Tuttle, Huntley, Kellom.

SULLIVAN COUNTY.—Clark of Acworth, Barry of Charlestown, Barney, Etsler, Nichols, Wolcott, Rossiter, Franklyn, Thornton, Bluitte, Osborne.

GRAFTON COUNTY.—Hardy of Ashland, Southard, Collins, Pulsifer of Campton, Ashley, Hill of Enfield, Rudd, Chellis, Davison, Lang, Howard of Lebanon, McNamara, Ross, Waterman, Stanley, Hallett, Price, Mooney, Nourse, Elms, Converse, Harris, Chase, Cotton of Warren, Sawyer, Howard of Piermont.

COOS COUNTY.—Pierce of Berlin, Griffin of Berlin, Young of Berlin, Sims, Mortensen, Jacobs, Nay, Rowden, Watson, Brown, Snow.

#### NAYS, 39.

ROCKINGHAM COUNTY.—.....

STRAFFORD COUNTY.—Fernald.

BELKNAP COUNTY.—.....

CARROLL COUNTY.—.....

MERRIMACK COUNTY.—Sanborn of Bradford, Cheney of Concord, Lyford, Carleton of Concord, Lund, Walker of Hopkinton, Wheelwright.

HILLSBOROUGH COUNTY.—Hoyt of Francestown, Clancy, Laughlin, McNulty, Murphy of Ward 6, Manchester, McDonnell, Roukey, Barry of Nashua, Girouard, Christie, Eastman of Weare.

CHESHIRE COUNTY.—Garfield, Blake, Duncan, Mason, Barrett of Keene, Davis of Stoddard, Ball, McGinness, Wells of Walpole, Burt.

SULLIVAN COUNTY.—Robinson of Newport, Colby.

GRAFTON COUNTY.—Webster, Page, Stevens of Landaff, Fadden.

COOS COUNTY.—Keleher, Moore, Nutting, Hutchins of Stratford.

No quorum being present the matter went into unfinished business and the Speaker declared the House adjourned from the morning session.

#### AFTERNOON.

The House met at 3.44.

On motion of Mr. Lyford of Concord, at 3.45 the House adjourned.

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#### THURSDAY, APRIL 5, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 102 (In New Draft), An act to amend Section 1 of Chapter 40 of the Laws of 1911, relating to taxation or assessment of land.

House Bill No. 113 (In New Draft), An act relative to the official bond of the treasurer of Hillsborough County.

House Bill No. 159, An act for the protection of woodlands from fire during periods of protracted drought.



House Bill No. 186, An act in amendment of Chapter 55 of the Laws of 1919, as amended by Chapter 120 of the Laws of 1921, relating to permit fees on motor vehicles.

House Bill No. 213, An act in amendment of the charter of the trustees of the Orphans' Home of Concord, approved June 26, 1874, as amended by An act approved March 10, 1897, and in amendment of An act to exempt the Orphans' Home of Concord, New Hampshire, from taxation.

House Bill No. 215, An act in amendment of Chapter 139 of the Laws of 1919, as amended by Chapter 23 of the Laws of 1921, relating to the taxation of street railways.

House Bill No. 335, An act to authorize the County of Coos to issue notes.

House Bill No. 336, An act to legalize the town election held on the thirteenth day of March, 1923, in the Town of Tuftonboro.

The message further announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 75, An act relating to deceptive or misleading advertisements, publications or statements.

House Bill No. 115, An act to provide that the tax assessors of the City of Manchester shall be elected by direct vote of the citizens.

House Bill No. 118, An act in relation to the finance commission for the City of Manchester.

House Bill No. 157, An act in amendment of Section 1 of Chapter 56 of the Public Statutes, relating to the taxation of persons and property.

House Bill No. 189 (In New Draft and New Title), An act to authorize the granting of special licenses as hawkers and peddlers to disabled veterans of the World War.

House Bill No. 311, An act in amendment of Section 15, Chapter 128, Laws of 1909, as amended by Chapter 166, Laws of 1911, relating to the power of arrest for violation of forest laws.

House Bill No. 328, An act to amend Section 1 of Chapter 159 of the Laws of 1921, relating to the purchase of legislative supplies.

The message further announced that the Senate has passed the following entitled bill, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 30, An act legalizing the votes and proceedings of the town meetings held in Lebanon in March, 1923, relative to issuing bonds.

#### LEAVES OF ABSENCE.

Messrs. Wheeler of Atkinson, Cotton of Nashua, Merrill of Hudson, Waterman of Lebanon, King of Keene, and Flint of Antrim, were granted leave of absence for the day on account of business.

#### COMMITTEE REPORTS.

Mr. Converse of Lyme, for the Committee on Engrossed Bills, reported that the Committee has examined and found correctly engrossed the following entitled bills:

House Bill No. 4, An act repealing Section 11 of Chapter 55 of the Public Statutes, relating to the exemption from taxation of manufacturing establishments.

House Bill No. 294, An act in amendment of Chapter 109, Session Laws of 1915, "An act to provide for the incorporation and management of trust companies and similar corporations."

The report was accepted.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, to whom was referred House Bill No. 173, An act in amendment of Section 6 of Chapter 119, Laws of 1921, relating to operation of motor vehicles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Doyle of Nashua, of the Committee on Revision of Statutes, to whom was referred House Bill No. 261, An act

in relation to motor vehicles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, to whom was referred House Bill No. 180, An act to punish the giving of checks or drafts on any bank or other depository wherein the person making such check or draft shall not have sufficient funds or a credit for the payment of the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, the subject matter of the bill be covered by another bill.

The report was accepted and the resolution of the committee adopted.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, to whom was referred House Bill No. 333, An act in amendment of Chapter 182, Section 22 of the Public Statutes, relating to proving of wills, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, to whom was referred House Bill No. 93, An act providing for the election of selectmen, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

On motion of Mr. Doyle of Nashua, the bill was recommended to the Committee on Revision of Statutes.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, to whom was referred House Bill No. 26, An act to control the possession, sale, and use of pistols and revolvers, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 7, by adding at the end thereof the following: "This section shall not apply to fathers, mothers,

guardians, administrators or executors who give to their children, wards, or heirs to an estate a revolver." So that said section, as amended, shall read as follows:

SECT. 7. Any person or persons who shall sell, barter, hire, lend or give to any minor under the age of twenty-one years any pistol or revolver shall be deemed guilty of a misdemeanor and shall upon conviction thereof be fined not more than one hundred dollars or be imprisoned not more than three months, or both. This section shall not apply to fathers, mothers, guardians, administrators, or executors who give to their children, wards, or heirs to an estate a revolver.

The report was accepted and the amendment adopted.

Mr. Cilley of Manchester, offered the following amendment:

Amend Section 10 by striking out all of Sub-section (B) and inserting in place thereof the following:

(B) To an unnaturalized foreign born person or to a person who has been convicted of a felony and has no permit as required by Section 8 of this act.

The amendment was adopted and the bill ordered to a third reading.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, to whom was referred House Bill No. 308, An act to regulate the salary of the solicitor of Rockingham County, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 1 by striking out the word "fifteen" and inserting in place thereof the word "eleven," so that said section as amended shall read as follows:

SECTION 1. The salary of the solicitor for Rockingham County shall be eleven hundred dollars per annum payable as now provided by law.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Davison of Haverhill, for the Committee on Judiciary, reported the following entitled bill, House Bill No. 362, An act to authorize the Woodsville Fire District of the

Town of Haverhill to exceed its limit of bonded indebtedness as fixed by Chapter 129, Laws of 1917, and to issue serial notes or bonds, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Davison of Haverhill, it was voted that the rules be suspended, the printing of the bill dispensed with, and the bill now placed upon its third reading and passage.

The bill was read a third time, passed and ordered to the Senate for concurrence.

Mr. Smith of Peterborough, for the Committee on Judiciary, to whom was referred House Bill No. 14, An act in amendment of Chapter 80 of the Laws of 1907, relating to marriages, reported the same in new draft, with the recommendation that the bill in its new draft ought to pass.

Read a first and second time, tabled to be printed and taken up in its regular order.

On motion of Mr. Aiken of Franklin, it was voted that the rules be suspended, and the first reading of new bills and new drafts be by title.

Mr. Davison of Haverhill, for the Committee on Judiciary, to whom was referred House Bill No. 221, An act in amendment of an addition to Chapter 78, Laws of 1897, as amended by Chapter 30, Laws of 1919, relating to the creation of voting districts and additional polling places in city wards, reported the same in new draft, with the recommendation that the bill in its new draft ought to pass.

Read a first and second time, tabled to be printed and taken up in its regular order.

Mr. Gagne of Somersworth, for the Committee on Judiciary, to whom was referred House Bill No. 241, An act relating to the regulation of building and the location of trades and industries in cities and towns, reported the same, in new draft, with the recommendation that the bill in its new draft ought to pass.

Read a first and second time, tabled to be printed, and taken up in its regular order.

Mr. Martin of Concord, for the Committee on Judiciary, to whom was referred Senate Bill No. 27, An act to change the name of John Young Pond in Lyman, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. Davison of Haverhill, it was voted that the rules be suspended and the bill be now put upon its third reading by title and passage.

The bill was then read a third time, passed and sent to the Secretary of State to be engrossed.

Mr. Gagne of Somersworth, for the Committee on Judiciary, reported the following entitled bill, House Bill No. 363, An act in amendment of the charter of the City of Somersworth, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Gagne of Somersworth, it was voted that the rules be suspended, the printing dispensed with, and the bill be put upon its third reading and passage at this time.

The bill was then read a third time, passed, and ordered to the Senate for concurrence.

Mr. Lyford of Concord for the Committee on Judiciary, to whom was referred House Bill No. 145, An act to increase and enlarge the powers of the Siwooganock Guaranty Savings Bank, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Gilchrist of Henniker for the Committee on Public Improvements, to whom was referred House Bill No. 315, An act to establish a continuous highway from the South Side Road at Auburn to the Massachusetts State Line at Haverhill, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

## COMMITTEE REPORT DEFERRED.

On motion of Mr. Lyford of Concord, it was voted that the reports of the Committee on Public Health on House Bill No. 32, An act in amendment of Chapter 151 of the Laws of 1921, entitled: "An act to promote the public health by providing protection for maternity and infancy," majority report, inexpedient to legislate, minority report, ought to pass, be deferred and put in the regular order for Tuesday next.

## COMMITTEE REPORTS CONTINUED.

Mr. Sanborn of Bradford for the Committee on State Hospital, reported the following entitled bill, House Bill No. 364, An act in amendment of Section 8, Part I, Chapter 85, Laws of 1921, entitled: "An act to revise and codify the school laws of the State," with the recommendation that the bill be printed and referred to the Committee on Education.

Read a first and second time, tabled to be printed and referred to the Committee on Education.

## SENATE BILL CONSIDERED.

On motion of Mr. Jewett of Laconia it was voted that the rules be so far suspended as to allow Senate Bill No. 30, An act legalizing the vote and proceedings of the town meetings held in Lebanon in March, 1923, relative to issuing bonds, to be brought before the House without reference to a committee.

The bill was then read a first and second time.

On motion of Mr. Jewett the rules were further suspended, the bill read a third time, passed, and sent to the Secretary of State to be engrossed.

## COMMITTEE REPORT.

On motion of Mr. Lyford of Concord, the rules were suspended so far as to allow the filing of the following reports without advertisement:

Mr. Lyford of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 238, An act enlarging

the powers of Moore's Falls Corporation, reported the same, in new draft, with the recommendation that the bill in its new draft ought to pass.

A minority of the Committee on Judiciary, to whom was referred House Bill No. 238, An act enlarging the powers of Moore's Falls Corporation, and being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

PETER M. GAGNE,  
LEONARD E. BARRY,  
WILLIAM H. BARRY,  
*Minority of the Committee.*

Read a first and second time.

Mr. Barry of Nashua, moved that the bill be tabled and the new draft printed, that the report of the minority be substituted for that of the majority, and that the bill and reports, with his motion pending be taken up in the regular order after printing. The vote was in the affirmative.

#### REGULAR ORDER.

The following bills, having been printed and distributed, were taken from the table and severally ordered to a third reading:

House Bill No. 350, An act in amendment of Section 1, Chapter 45, Laws of 1905, as amended by Chapter 25, Laws of 1915, entitled: "An act for the protection of savings banks and other savings institutions."

House Bill No. 351, An act in amendment of Chapter 177 of the Laws of 1917, entitled: "An act to more effectively restrain agreements to regulate and fix prices of commodities in this State and to restrain combinations and monopolies in commodities and provide penalties therefor."

Senate Bill No. 7 (In House New Draft), An act in relation to the foreclosure of power of sale mortgages of real estate.

House Bill No. 195 (In New Draft and Title), An act



declaring every child to be the legitimate child of its natural parents; making such child an heir of such parents and providing the procedure for establishing parentage; and in addition to Chapter 87 of the Public Statutes.

House Bill No. 222 (In New Draft and Title), An act relating to damages happening in the use of highways and repealing Section 1, Chapter 59, Laws of 1893, as amended by Chapter 48, Laws of 1915, and repealing Sections 7, 8, 9 and 10 of Chapter 76 of the Public Statutes, and any other statute inconsistent with this act.

#### UNFINISHED BUSINESS.

Mr. Duncan of Jaffrey called for the unfinished business, it being:

House Bill No. 5, An act to promote the raising of live stock by exemption of live stock from taxation, majority report, inexpedient to legislate, minority, ought to pass, the motion of Mr. Duncan of Jaffrey to substitute the report of the minority for that of the majority, the motion of Mr. Wood of Portsmouth, that the bill be indefinitely postponed, and Mr. Duncan's demand for the Yeas and Nays.

Mr. Duncan of Jaffrey withdrew his demand for the Yeas and Nays.

The question being on the motion to indefinitely postpone, the vote was in the affirmative and the bill was postponed.

Mr. Kenney of Manchester called for the unfinished business, it being:

House Bill No. 124, An act in relation to criminal identification, report of majority, ought to pass, minority report inexpedient to legislate, the motion of Mr. Barry of Nashua to substitute the report of the minority for that of the majority, and Mr. Barry's call for a division.

On motion of Mr. Kenney it was voted that the matter be placed in the regular order for Tuesday next.

## RESOLUTIONS.

Mr. Davison of Haverhill offered the following resolution:

*Whereas*, It appears that all necessary legislative work may be easily accomplished by Friday, April 20th instant, therefore be it

*Resolved*, By the House of Representatives, the Senate concurring, that the present session of the legislature be brought to final adjournment on Friday, April 20th instant at five o'clock in the afternoon, and be it further

*Resolved*, That all reports, bills and joint resolutions pending at that time in either branch of the legislature, be indefinitely postponed.

On motion of Mr. Davison of Haverhill the resolution was laid on the table until Tuesday next.

## CHANGE OF COMMITTEE REFERENCE.

Mr. Martin of Concord presented the following resolution:

*Resolved*, That the order whereby House Joint Resolution No. 39, in favor of the Rocky Pond Road in the City of Concord, Towns of Loudon, Canterbury, Gilmanton and Belmont, was referred to the Committee on Roads, Bridges and Canals, be vacated, and the same referred to the Committee on Appropriations.

The resolution was adopted.

## UNFINISHED BUSINESS.

Mr. Lyford of Concord called for the unfinished business, it being the third readings in order for the preceeding day.

On motion of Mr. Cilley of Manchester, the rules were suspended and the third readings were by title.

The following bills were severally read a third time, passed, and ordered to the Senate for concurrence:

House Bill No. 297, An act in amendment of Section 14, Chapter 192, of the Public Statutes, relating to the reports of commissioners.

House Bill No. 298, An act in amendment of Section 1 of

Chapter 192 of the Public Statutes, relating to the acceptance of commissioner's reports.

House Bill No. 281 (In New Draft and Title), An act in amendment of Sub-division (a), Section 14, Chapter 133, Laws of 1915, as amended by Section 5, Chapter 184, Laws of 1917, as amended by Section 3, Chapter 152, Laws of 1919, as amended by Section 1, Chapter 141, Laws of 1921, relating to open season on deer.

House Bill No. 284 (In New Draft), An act to regulate bakeries and bakery products.

House Bill No. 267, An act to amend Chapter 38, Laws of 1913, An act for the bi-weekly payment for all State employees, except salaried officers.

House Bill No. 154, An act declaring pumps and tanks employed in the distribution and sale of gasoline and other motor vehicle fuels to be subject to taxation.

The following bill was read a third time:

House Bill No. 325 (In New Draft), An act to regulate the sale of grain.

On motion of Mr. Martin the bill was put back on its second reading, and recommitted to the Committee on Agriculture.

#### THIRD READINGS.

On motion of Mr. Cilley of Manchester, business in order at three o'clock was made in order at this time.

On motion of the same gentleman the rules were suspended and the third reading of bills was by title.

The following bills were severally read a third time, passed, and disposed of as follows:

Senate Bill No. 16, An act for the punishment of persons issuing worthless checks. Sent to the Secretary of State to be engrossed.

Senate Bill No. 12, An act to require the teaching of the Constitution of the United States in the public and private schools of the State of New Hampshire. Ordered to the Senate for concurrence in amendment.

House Bill No. 314, An act in amendment of Section 2,

Chapter 120, Laws of 1909, relating to sentence to the State Prison.

House Bill No. 345, An act relating to shade trees in highways and other public places.

House Bill No. 356, An act relating to the issue of bonds by the school district of the Town of Salem.

Sent to the Senate for concurrence.

On motion of Mr. Sibley of Manchester, it was voted that when the House adjourns today it be until tomorrow at 9.30 and that the adjournment at that session be until Monday at 7.30 P. M.

On motion of Mr. Bartlett of Manchester, at 12.55 the House adjourned.

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FRIDAY, APRIL 6, 1923.

The House met at 9.30.

On motion of Mr. Osborne of Sunapee at 9.31 the House adjourned.

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MONDAY, APRIL 9, 1923.

The House met at 7.30.

On motion of Mr. Sanborn of Salisbury at 7.31 the House adjourned.

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TUESDAY, APRIL 10, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

RESOLUTION.

Mr. Cotton of Warren presented the following resolution which was adopted:

*Resolved*, That the use of Representatives' Hall be granted to L. M. Karnan, State Director of Near East Relief, at the close of the afternoon session today, for the purpose of displaying a motion picture showing the work which is being done by the Near East Relief.

## MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 94, An act to maintain the purity of butter, cream and dairy products.

House Bill No. 234, An act in amendment of Chapter 70 of the Laws of 1921, entitled "An act imposing a tax upon the transfer at death of the personal property of non-residents.

House Bill No. 341, An act relating to pensions of employees of the City of Manchester.

House Bill No. 342, An act authorizing the Enfield Village Fire District to renew and extend its water bonds.

House Bill No. 347, An act legalizing the annual school district meeting for the Town of Holderness on the 13th day of March, 1923.

The message further announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

House Bill No. 252, An act in amendment of Section 4, Chapter 76, Laws of 1895, relating to the protection from pollution of sources of water used for domestic purposes.

Amend Section 1 of the bill by striking out the word "or" in the 5th line and in the 9th line and inserting in place thereof, the word "and" so that said section as amended shall read as follows:

SECTION 1. Amend Section 4, Chapter 76, Laws of 1895, by striking out the words "one-fourth of a mile of the point where said water is taken," and substituting in place thereof the following: "the limits prescribed for the protection of said water supply by the local and state board of health," so that said section as amended shall read as follows:

If any person shall bathe in such lake, pond, or reservoir

within the limits prescribed for the protection of said water supply by the local and state board of health, he shall be fined not exceeding twenty dollars or imprisonment not exceeding six months.

#### LEAVES OF ABSENCE.

Mr. Flint of Antrim was granted leave of absence for the week on account of illness.

Messrs. Weeks of Gilford, Putnam of Lyndeborough, Gowitzke of Manchester, McBride of Manchester, were granted leave of absence for the day on account of business.

Messrs. Fleming of Manchester and Griffin of Berlin were granted leave of absence for the week on account of business.

Mr. Dodge of Manchester was granted leave of absence for the day on account of illness in the family.

#### COMMITTEE REPORTS.

Mr. Hutchins of Berlin for the Committee on Liquor Laws, to whom was referred House Bill No. 259, An act relating to intoxicating liquors, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Jewett of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 209, An act to make uniform the law relating to the sale of goods and to be known as the Uniform Sales Act, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Davison of Haverhill for the Committee on Judiciary, reported the following entitled bill, House Bill No. 365, An act to legalize certain acts of the Bethlehem Village Precinct and to authorize the precinct to issue bonds to refund outstanding water bonds, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Lyford of Concord the rules were suspended, the printing dispensed with, the bill read a third time by its title, passed and ordered to the Senate for concurrence.

Mr. Martin of Concord for the Committee on Judiciary, to whom was referred House Bill No. 239, An act to give the Public Service Commission, jurisdiction over the management of the waters of Winnepesaukee Lake, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Bartlett of Raymond for the Committee on Public Health, to whom was referred House Joint Resolution No. 21, Joint resolution providing for the care, treatment and schooling of children subject to diseases calling for sanatorium treatment and unfitting them for public school attendance, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Bartlett of Raymond for the Committee on Public Health, to whom was referred House Bill No. 296, An act to regulate the manufacture and sale of beverages, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Bartlett of Raymond for the Committee on Public Health, to whom was referred House Bill No. 130, An act to provide for the licensing of plumbers and to protect the public health, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Bass of Peterborough for the Committee on Ways and Means, to whom was referred House Bill No. 306, An

act enabling the Town of Ossipee to exempt from taxation certain property in that town to be used for hotel purposes, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 306, An act enabling the Town of Ossipee to exempt from taxation certain property in that town to be used for hotel purposes, being unable to agree with the majority, reported the same, in new draft, with the recommendation that the bill in its new draft ought to pass.

O. J. SMITH,  
R. B. STEVENS,  
GEO. H. DUNCAN.

Mr. Stevens of Landaff, moved to substitute the report of the minority for that of the majority.

(Discussion ensued.)

The question being on the substitution, the vote was for the substitution.

The bill in new draft was then read a first and second time.

On motion of Mr. Duncan of Jaffrey, the rules were suspended, the printing dispensed with, the bill read a third time by its title, passed and ordered to the Senate for concurrence.

Mr. Bass of Peterborough, for the Committee on Ways and Means, to whom was referred House Bill No. 245, An act for the partial exemption of certain property to be used for hotel purposes in the City of Manchester, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

Mr. Laughlin of Manchester moved that the bill and the report be committed to the Special Committee of the Manchester Delegation.

Mr. Stevens of Landaff called for a division on that motion, and a division was then had, which was manifestly in the affirmative, and the bill was referred to the Manchester Delegation.



## SENATE AMENDMENT CONSIDERED.

On motion of Mr. Wright of Sanbornton it was voted that the House non-concur with the Honorable Senate in the amendment proposed to House Bill No. 252, An act in amendment of Section 4, Chapter 76, Laws of 1895, relating to the protection from pollution of sources of water used for domestic purposes, and that a Committee of Conference be appointed.

Pursuant to that vote the Speaker appointed the following Committee of Conference: Mr. Wright of Sanbornton, Mrs. Bartlett of Raymond, Mr. Martin of Concord.

## JOINT RESOLUTION INTRODUCED.

On motion of Mr. Lord of Manchester, it was voted that the rules be so far suspended as to allow the introduction of an unadvertised Committee Report.

Mr. Lord of Manchester for the Committee on Appropriations, reported the following Joint resolution, House Joint Resolution No. 60, Joint resolution providing for the deficiency of the New Hampshire School for Feeble-minded Children, with the recommendation that the Joint resolution ought to pass.

The resolution was read a first and second time.

On motion of Mr. Lord of Manchester it was voted that the rules be suspended, the printing dispensed with, and the Joint resolution now put upon its passage.

The Joint resolution was then read a third time, passed, and ordered to the Senate for concurrence.

## REGULAR ORDER.

The following bills were severally taken from the table and ordered to a third reading:

House Bill No. 359, An act in relation to standard time.

House Bill No. 360, An act relative to the law of the road.

## COMMITTEE REPORTS.

The following committee reports were presented, pursuant to a vote taken April 5, with Mr. Barry's call for a

division pending on his motion to substitute the minority report for that of the majority:

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 124, An act in relation to criminal identification, reported the same with the recommendation that the bill ought to pass.

A minority of the Committee on Appropriations, to whom was referred House Bill No. 124, An act in relation to criminal identification, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

WILLIAM H. BARRY.

Mr. Barry withdrew his call for a division. A *viva voce* vote was in favor of the substitution, and the report of the minority was accepted and the resolution adopted.

Pursuant to the vote taken April 5th the following Committee Reports were presented:

Mrs. Bartlett of Raymond, for the Committee on Public Health, to whom was referred House Bill No. 32, An act in amendment of Chapter 151 of the Laws of 1921, entitled "An act to promote the public health by providing protection for maternity and infancy," reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The undersigned being a minority of the Committee on Public Health, to whom was referred House Bill No. 32, An act in amendment of Chapter 151 of the Laws of 1921, entitled "An act to promote the public health by providing protection for maternity and infancy," reported the same with the recommendation that the bill ought to pass.

HOMER H. MARKS, M. D.,  
CHARLES C. FIELD,  
DAVID F. JACKSON,  
LOUIS O. BOISVERT,  
JOHN O. BELLEROSE.

Mr. Murdock of Hill, moved to substitute the report of the minority for that of the majority.

The question being on the substitution,

(Discussion ensued.)

On motion of Mr. Wood of Portsmouth, it was voted that the House take a recess for one hour.

#### AFTER RECESS.

(Discussion continued.)

Mr. Craig of Manchester, moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being on the substitution, a *viva voce* vote was against the substitution.

The report of the majority was accepted and the resolution of the Committee adopted.

#### BILL TAKEN FROM THE TABLE.

On motion of Mr. Barry of Nashua, it was voted that House Bill No. 238, An act enlarging the powers of the Moore's Falls Corporation, with the majority report, ought to pass, the minority report inexpedient to legislate, and the motion of Mr. Barry of Nashua, to substitute, be taken from the table and made a Special Order for Tuesday next at 11.01.

Mr. Cotton of Nashua, moved that the order by which House Bill No. 359, An act in relation to standard time, was put on its third reading be vacated and the bill put back on its second reading.

The motion was lost.

On motion of Mr. Tobey of Temple, the House at 2.59 adjourned from the morning session.

#### AFTERNOON.

The House met at 3 o'clock.

Mr. Burke of Manchester, called for the unfinished business, it being House Bill No. 27, An act relating to the registration of motor vehicles.

On motion of the same gentleman the matter was placed in the regular order for tomorrow.

The following bills were severally read a third time, by title on motion of Mr. Aiken of Franklin under a suspension of the rules, passed, and ordered to the Senate for concurrence:

House Bill No. 222 (In New Draft), An act relating to damages happening in the use of highways and repealing Section 1, Chapter 59, Laws of 1893, as amended by Chapter 48, Laws of 1915, and repealing Sections 7, 8, 9 and 10 of Chapter 76 of the Public Statutes, and any other statute inconsistent with this act.

House Bill No. 350, An act in amendment of Section 1, Chapter 45, Laws of 1905 as amended by Chapter 25, Laws of 1915 entitled: "An act for the protection of Savings Banks and other Savings Institutions."

House Bill No. 351, An act in amendment of Chapter 177 of the Laws of 1917, entitled: An act to more effectively restrain agreements to regulate and fix prices of commodities in this State and to restrain combinations and monopolies in commodities and provide penalties therefor.

House Bill No. 195 (In New Draft and Title), An act declaring every child to be the legitimate child of its natural parents; making such child an heir of such parents and providing the procedure for establishing parentage; and in addition to Chapter 87 of the Public Statutes.

House Bill No. 333, An act in amendment of Chapter 182, Section 22 of the Public Statutes, relating to proving of wills.

House Bill No. 26, An act to control the possession, sale, and use of pistols and revolvers.

House Bill No. 308, An act to regulate the salary of the solicitor of Rockingham County.

Senate Bill No. 7 (In House New Draft), An act in relation to the foreclosure of power of sale mortgages of real estate.

On motion of Mr. Cheney of Concord at 3.59 the House adjourned.

## WEDNESDAY, APRIL 11, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

## PETITION PRESENTED AND REFERRED.

The following petition was presented and referred to the Committee on Ways and Means:

By Mr. Winslow of Nashua, Petition of New Hampshire Good Roads Association in favor of increased revenue for highway purposes.

## MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the House of Representatives in its amendment to the following entitled bill:

Senate Bill No. 12, An act to require the teaching of the Constitution of the United States in the public and private schools of the State of New Hampshire.

The message further announced that the Senate has passed the following bill, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 32, An act to provide safety exit facilities for school houses.

## LEAVES OF ABSENCE.

Messrs. Spaulding of Hudson, Childs of Hillsborough, Grimes of Boscawen, Page of Haverhill, and Steward of Northwood, were granted leave of absence for the day on account of business.

Mr. Smith of Berlin was granted leave of absence for the week on account of illness.

Messrs. Cotton of Nashua, Fadden of Thornton, and Huntley of Marlow, were granted leave of absence for the week on account of business.

Mr. Dodge of Manchester was granted leave of absence for the week on account of illness in the family.

## COMMITTEE REPORTS.

Mr. Colby of Plainfield for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 20, An act to provide for increase of salary for Sheriff of Hillsborough County, reported the same under Joint Rule 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 8 of said bill by striking out the whole thereof and inserting in place thereof the following:

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and upon its passage this act shall take effect as of April 1, 1923.

The report was accepted, and on motion of Mr. Wright of Sanbornton, the amendment adopted, and the bill sent to the Senate for concurrence in the amendment.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred House Bill No. 93, An act providing for the election of selectmen, reported the same in new draft and new title without recommendation.

The report was accepted and the bill read a first and second time.

Mr. Hoyt of Sandwich moved that the rules be suspended, the printing dispensed with, and the bill be placed upon its third reading by title and passage at this time.

Mr. Mortenson of Gorham moved that the bill be indefinitely postponed.

(Discussion ensued.)

Mr. McDonald of Manchester moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being on the motion to indefinitely postpone, the vote was in the negative.

The question being on the motion of Mr. Hoyt to suspend the rules, the vote was in the affirmative.

The bill was then read a third time, passed, and ordered to the Senate for concurrence.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, to whom was referred House Bill No. 187, An act in amendment of Section 3 of Chapter 119 of the Laws of 1921, relating to non-resident motor vehicles, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

On motion of Mr. Cilley of Manchester, it was voted that the rules be suspended, and the first reading of new bills and new drafts be by title.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, reported the following entitled bill, House Bill No. 370, An act relating to motor vehicles, with the recommendation that the bill ought to pass.

Read a first and second time, tabled to be printed, and taken up in its regular order.

Mr. Jones of Alton for the Committee on Forestry, to whom was referred House Bill No. 354, An act to provide for the taxation of growing timber on woodlots not exceeding fifty acres, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Harris of Orford for the Committee on Education, reported the following entitled bill, House Bill No. 366, An act in amendment of Chapter 125, Laws of 1921, providing for the reduction in the allotments of State aid for schools when the appropriation is insufficient to meet the approved claims of the School Districts, with the recommendation that the bill ought to pass.

Read a first and second time, tabled to be printed and taken up in its regular order.

Mr. Harris of Orford for the Committee on Education, to whom was referred Senate Bill No. 9, An act relating to the State Board of Education, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Dube of Nashua, for the Special Committee of the Nashua Delegation, to whom was referred House Bill No. 119, An act authorizing the City of Nashua to provide pensions for firemen, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, the subject matter being covered by another bill.

The report was accepted and the resolution of the committee adopted.

Mr. Dube of Nashua, for the Special Committee of the Nashua Delegation, to whom was referred House Bill No. 309, An act to provide pensions for school teachers in Nashua, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, the subject matter being covered by another bill.

The report was accepted and the resolution of the committee adopted.

Mr. Dube of Nashua, for the Special Committee of the Nashua Delegation, to whom was referred House Bill No. 353, An act relating to pensions for employees of the City of Nashua, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend Section 3 by striking out the whole of said section and inserting in place thereof the following:

SECT. 3. Any employee in any department of said city, existing by virtue of law may be eligible for pension if he or she has been in such employment for twenty-five consecutive years.

Amend Section 6 by striking out the figure "2" in line 5 and inserting in place thereof the figure "3"; further amend by inserting after the word "act" in line 5 the following: "any employee of the city who has sustained injury while within the scope of his employment which incapacitates him from performing the work he was engaged in when injured but does not prevent his doing other work for



the city may be entitled to a pension not exceeding one-half the difference between his wage after injury and his wage before injury, if as a result of such partial incapacity his wage earning power as regards the city has become lessened although he remains in the employment of the city." So that said section, as amended, shall read as follows:

SECT. 6. Any employee of the city who has sustained injury while within the scope of his employment which totally incapacitates him from work may be entitled to a pension in the same manner and under the same conditions as if he had terminated his term of employment referred to in Section 3 of this act. Any employee of the city who has sustained injury while within the scope of his employment which incapacitates him from performing the work he was engaged in when injured but does not prevent him doing other work for the city may be entitled to a pension not exceeding one-half the difference between his wage after injury and his wage before injury, if as a result of such partial incapacity his wage earning power as regards the city has become lessened although he remains in the employment of the city. In case such injury happens to a callman, he may be entitled to pension not to exceed the sum of eight hundred dollars a year.

Amend Section 8 by inserting after the word "by" in line 2 the following: "accident, misfortune or sickness, or by" so that said section as amended shall read as follows:

SECT. 8. In computing consecutive years of service, temporary absences from work occasioned by accident, misfortune or sickness, or by act of the city shall not have the effect of lengthening the required period or defeat the purpose of this act.

The report was accepted and the amendment adopted.

On motion of Mr. Dube of Nashua, the rules were suspended, the bill read a third time by title, passed, and ordered to the Senate for concurrence.

Mr. Lyford of Concord for the Committee on Judiciary, reported the following entitled bill, House Bill No. 367, An

act in amendment of Chapter 208 of the Laws of 1883, entitled: "An act to incorporate the New Hampshire Odd Fellows Widows' and Orphans' Home," as amended by Chapter 174 of the Laws of 1885, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Jewett of Laconia the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

Mr. Davison of Haverhill for the Committee on Judiciary, reported the following entitled bill, House Bill No. 368, An act to amend the Primary and Election Laws, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Jewett of Laconia the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

Mr. Martin of Concord for the Committee on Judiciary, to whom was referred House Bill No. 22, An act in amendment of Chapter 188, Section 5 of the Laws of 1905, relating to the establishment of waterworks and sewers in the Town of Gorham, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 22, An act in amendment of Chapter 188, Section 5 of the Laws of 1905, relating to the establishment of waterworks and sewers in the Town of Gorham, having considered the same, and being unable to agree with the majority reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend by striking out Section 2 and inserting in place thereof the following:

SECT. 2. This act shall take effect on April 1, 1925.

LEONARD E. BARRY,  
HARRY E. NYBERG,  
R. J. DOYLE,  
WILLIAM H. BARRY,  
PETER M. GAGNE,  
IVORY C. EATON.

Mr. Mortenson of Gorham moved to substitute the report of the minority for that of the majority.

(Discussion ensued.)

Mr. Cox of Manchester moved the previous question,

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being: Shall the report of the minority be substituted for that of the majority?, the vote was in the negative.

The report of the majority was accepted and the resolution adopted.

Mr. Jewett of Laconia for the Committee on Judiciary, reported the following entitled bill, House Bill No. 369, An act legalizing certain proceedings at the adjourned meeting of the Town of Ashland, March 17, 1923, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Jewett of Laconia, the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

Mr. Smith of Peterborough for the Committee on Judiciary, to whom was referred Senate Joint Resolution No. 3, Joint resolution authorizing the Finance Committee of the Governor's Council to investigate and report facts in regard

to the administration of State affairs by the several departments and State institutions, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

#### SENATE BILL INTRODUCED.

The following Senate Bill was read a first and second time, and referred to the Committee on Education:

Senate Bill No. 32, An act to provide safety exit facilities of schoolhouses.

#### RESOLUTION INTRODUCED.

On motion of Mr. Stevens of Landaff, it was voted that the rules be so far suspended as to allow the revenue bills of the Ways and Means Committee to be printed and brought before the House in their regular order tomorrow, without being tabled for that purpose.

On motion of Mr. Lyford of Concord, the House then took a recess of one hour.

(After recess.)

#### REGULAR ORDER.

Pursuant to a vote taken April 10th, House Bill No. 27, An act relating to the registration of motor vehicles, was brought before the House.

Mr. Hoyt of Francestown, moved that the bill be indefinitely postponed.

(Discussion ensued.)

Mr. Girouard of Nashua, moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being: Shall the bill be indefinitely postponed?, Mr. Smith of Portsmouth called for a division.

A division was had with the following result:

For the postponement, 127; against the postponement, 114, and it appearing that the majority in favor of the

postponement was less than the rules require, the vote was of no validity and the matter was placed in unfinished business.

#### REGULAR ORDER.

The following bills were severally taken from the table and ordered to a third reading:

House Bill No. 14 (In New Draft), An act in amendment of Chapter 80 of the Laws of 1907, relating to marriages.

House Bill No. 221 (In New Draft), An act in amendment of and addition to Chapter 78, Laws of 1897, as amended by Chapter 30, Laws of 1919, relating to the creation of voting districts and additional polling places in city wards.

The following bill was ordered to a third reading:

House Bill No. 241 (In New Draft), An act relating to the regulation of building and the location of trades and industries in cities and towns.

On motion of Mr. Wood of Portsmouth, the order was vacated and the bill recommitted to the Committee on Judiciary.

#### THIRD READINGS.

On motion of Mr. Lyford of Concord, the rules were suspended and business in order at three o'clock made in order at this time.

The following bill was read a third time:

House Bill No. 359, An act in relation to standard time.

Mr. Wood of Portsmouth, moved that the bill be indefinitely postponed.

(Discussion ensued.)

Mr. Fernald of Dover, moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being on the motion to indefinitely postpone, Mr. Barry of Nashua, called for a division.

A division was had with the following result:

For postponement, 58. Against postponement, 117 and it appearing that no quorum was present, the matter went into unfinished business and the Speaker, at 3.59, adjourned the House.

THURSDAY, APRIL 12, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 297, An act in amendment of Section 14 of Chapter 192 of the Public Statutes, relating to the reports of commissioners.

House Bill No. 298, An act in amendment of Section 1 of Chapter 192 of the Public Statutes, relating to the acceptance of commissioner's reports.

House Bill No. 352, An act to legalize the annual meeting of the Conway Village Fire District, held on the twenty-sixth day of March, 1923.

House Bill No. 357, An act to legalize the vote and proceedings at the annual town meeting holden in Colebrook, March, 1921, relating to exemption from taxation of Dr. Kerr's Hospital.

House Bill No. 358, An act to authorize the school district of the Town of Claremont to raise and appropriate money at a special meeting thereof.

House Bill No. 361, An act in amendment of Chapter 177, Laws of 1885, as amended by Chapter 199 of the Laws of 1895, Chapter 153 of the Laws of 1897, Chapter 199 of the Laws of 1899 and Chapter 182 of the Laws of 1901, being the Charter of the Manchester Traction, Light and Power Company.

House Bill No. 362, An act to authorize the Woodsville Fire District of the Town of Haverhill to exceed its limit of bonded indebtedness as fixed by Chapter 129, Laws of 1917, and to issue serial notes or bonds.

House Bill No. 363, An act in amendment of the Charter of the City of Somersworth.

The message further announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 107 (In New Draft), An act relating to the sale of farm produce.

House Bill No. 253, An act in amendment of Section 19 of Chapter 286 of the Public Statutes, relating to the salary of the treasurer of Hillsborough County.

The message further announced that the Senate has passed the following entitled bill, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 33, An act relative to the official bond of the treasurer of counties.

#### LEAVES OF ABSENCE.

Messrs. Burns of Nashua, Doyle of Nashua, Putnam of Lyndeborough, McBride of Manchester were granted leave of absence for the day on account of business.

#### COMMITTEE REPORTS.

Mr. Colby of Plainfield, for the Committee on Engrossed Bills, reported that the Committee has examined and found correctly engrossed the following entitled bills:

Senate Bill No. 18, An act to change the name of Nelson Aldrich Edgell to that of Stephen Maurice Edgell.

Senate Bill No. 24, An act to legalize the March meeting held on the thirteenth day of March, 1923, in the Town of Clarksville.

Senate Bill No. 30, An act legalizing the votes and proceedings of the town meetings held in Lebanon in March, 1923, relative to issuing bonds.

House Bill No. 94, An act to maintain the purity of butter, cream and dairy products.

House Bill No. 102 (In New Draft), An act to amend Section 1 of Chapter 40 of the Laws of 1911, relating to taxation or assessment of land.

House Bill No. 113 (In New Draft), An act relative to the official bond of the treasurer of Hillsborough County.

House Bill No. 159, An act for the protection of woodlands from fire during periods of protracted drought.

House Bill No. 186, An act in amendment of Chapter 55 of the Laws of 1919, as amended by Chapter 120 of the Laws of 1921, relating to permit fees on motor vehicles.

House Bill No. 213, An act in amendment of the charter of the Trustees of the Orphans' Home of Concord, approved June 26, 1874, as amended by an act approved March 10, 1897, and in amendment of "An act to exempt the Orphans' Home of Concord, New Hampshire, from taxation."

House Bill No. 215, An act in amendment of Chapter 139 of the Laws of 1919, as amended by Chapter 23 of the Laws of 1921, relating to the taxation of street railways.

House Bill No. 234, An act in amendment of Chapter 70 of the Laws of 1921, entitled "An act imposing a tax upon the transfer at death of the personal property of non-residents."

House Bill No. 335, An act to authorize the County of Coos to issue notes.

House Bill No. 336, An act to legalize the town election held on the thirteenth day of March, 1923, in the Town of Tuftonboro.

House Bill No. 342, An act authorizing the Enfield Village Fire District to renew and extend its water bonds.

House Bill No. 347, An act legalizing the annual school district meeting for the Town of Holderness on the thirteenth day of March, 1923.

The report was accepted.

Mr. Hardy of Hollis for the Committee on Agriculture, to whom was referred House Bill No. 325, An act to regulate the sale of grain, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Gilchrist of Henniker for the Committee on Public Improvements, to whom was referred Senate Joint Resolu-



tion No. 6, Joint resolution in favor of changing the name of the highway known as "East Side Road" to "The Wentworth Highway," reported the same with the following amendment, and the recommendation that the Joint resolution as amended ought to pass:

Amend the caption by striking out the word "Wentworth" and inserting in place thereof the words: "Meschech Weare" so that said caption as amended, shall read as follows:

"Joint resolution in favor of changing the name of the highway known as "East Side Road" to "The Meschech Weare Highway." Further amend by striking out the word "Wentworth" in line 11 and inserting in place thereof the words "Meschech Weare" so that said resolution, as amended, shall read as follows:

That in honor of services rendered by our first New Hampshire President (afterwards changed to Governor), Meschech Weare, the great New Hampshire highway described as follows: Beginning at the Massachusetts State Boundary and running northerly through Seabrook, Hampton Falls (where he lived his whole life), Hampton, North Hampton, Rye, Portsmouth, Newington, Dover, Somersworth, Rochester, Milton, Wakefield, Wolfeboro, Ossipee, Tamworth, Albany, Conway, Bartlett, Jackson, Pinkham's Notch, Gorham, Berlin, Milan, Dummer, Cambridge, Errol, Millsfield, Dixville Notch, to its junction with the Daniel Webster Highway at Colebrook, now known as the "East Side Road," be hereby changed to "The Meschech Weare Highway," and the Governor and Council are authorized to do all things necessary suitably to mark and designate it accordingly.

On motion of Mr. Wood of Portsmouth the Joint resolution and report of the Committee was recommitted to the Committee on Public Improvements.

Mr. Gilchrist of Henniker for the Committee on Public Improvements, to whom was referred House Joint Resolution No. 58, Joint resolution providing money for the completion of the highway from the Profile House in the Town

of Franconia to the Waterford Bridge on the Connecticut River, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Goodwin of Gilmanton for the Committee on Roads, Bridges and Canals, reported the following entitled bill, House Bill No. 376, An act in regard to the changing of the layout of the Rocky Pond Road, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Martin of Concord it was voted that the bill be laid on the table.

Mr. Butler of Hillsborough for the Committee on Banks, reported the following entitled bill, House Bill No. 375, An act relating to bonds to be furnished by officers of savings banks, with the recommendation that the bill ought to pass.

On motion of Mr. Lyford of Concord the rules were suspended, the bill read a first and second time by title, tabled to be printed, and then taken up in its regular order.

Mr. Cronin of Portsmouth for the Committee on Judiciary, to whom was referred House Bill No. 50, An act in amendment of Section 4, Chapter 168, Laws of 1913, relating to the State Highway from Merrimack Valley Road to East Side Route, reported the same in new draft with the recommendation that the bill in its new draft ought to pass.

On motion of Mr. Martin of Concord the rules were suspended and the bill read a first and second time by its title and laid on the table to be printed. On motion of the same gentleman the rules were further suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

Mr. Martin of Concord for the Committee on Judiciary, reported the following entitled bill, House Bill No. 377, An act providing for the propounding and prosecution of a claim by and in the name of the State of New Hampshire

against the Federal Government for the recovery of taxes heretofore illegally assessed against citizens and residents of New Hampshire and paid by them, with the recommendation that the bill ought to pass.

On motion of Mr. Lyford of Concord the rules were suspended, the bill read a first and second time by title, tabled to be printed, and then taken up in its regular order.

Mr. Duncan of Jaffrey for the Committee on Ways and Means, reported the following entitled bill, House Bill No. 373, An act to exempt from taxation the Woman's Realty Company of Portsmouth, with the recommendation that the bill ought to pass.

On motion of Mr. Duncan of Jaffrey, the rules were suspended, the bill read a first and second time by its title, and, having already been printed was ordered to a third reading.

Mr. Stevens of Landaff, for the Committee on Ways and Means, to whom was referred House Bill No. 218, An act providing for a road toll on gasoline and similar products used in propelling motor vehicles on highways and in amendment of Chapter 119, Laws of 1921, reported the same, in new draft and new title, with the recommendation that the bill in its new draft and new title ought to pass.

The bill having already been printed, on motion of Mr. Stevens of Landaff, the rules were suspended, the bill read a first and second time by title, and the bill and report placed in the regular order of Committee Reports for Tuesday next.

Mr. Duncan of Jaffrey, for the Committee on Ways and Means, to whom was referred House Bill No. 158, An act in amendment of Sections 4 and 5 of Chapter 65 of the Public Statutes and all amendments thereto, relating to the taxation of savings banks, reported the same, in new draft, with the recommendation that the bill in its new draft ought to pass.

The bill having already been printed, on motion of Mr. Stevens of Landaff, the rules were suspended, the bill read a first and second time by title, and the bill and report

placed in the regular order of Committee Reports for Tuesday next.

Mr. Duncan of Jaffrey, for the Committee on Ways and Means, to whom was referred House Bill No. 152, An act increasing the rates of inheritance and succession taxes, reported the same in new draft and new title with the recommendation that the bill in its new draft and new title ought to pass.

The bill having already been printed, on motion of Mr. Stevens of Landaff, the rules were suspended, the bill read a first and second time by title, and the bill and report placed in the regular order of Committee reports for Tuesday next.

Mr. Duncan of Jaffrey, for the Committee on Ways and Means, reported the following entitled bill:

House Bill No. 372, An act relating to the rates of inheritance and succession taxes, with the recommendation that the bill ought to pass.

The bill having already been printed, on motion of Mr. Stevens of Landaff, the rules were suspended, the bill read a first and second time by title, and the bill and report placed in the regular order of Committee reports for Tuesday next.

Mr. Duncan of Jaffrey, for the Committee on Ways and Means, to whom was referred House Bill No. 191, An act in amendment of the laws relating to legacy and succession taxes, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Duncan of Jaffrey, for the Committee on Ways and Means, to whom was referred House Bill No. 192, An act relating to the tax upon the transfer at death of personal property of non-residents, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Duncan of Jaffrey, for the Committee on Ways and Means, to whom was referred House Bill No. 28, An act for

the taxing of incomes derived from intangibles, reported the same in new draft with the recommendation that the bill in its new draft ought to pass.

The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 28, An act for the taxing of incomes derived from intangibles, and being unable to agree with the majority reported the same with an amendment, and the recommendation that the bill as amended ought to pass.

R. B. STEVENS,  
HUGH K. MOORE,  
R. P. BASS.

The amendment proposed having been printed and distributed separately, the printing of it in the Journal was dispensed with.

Mr. Stevens of Landaff moved to substitute the report of the minority for that of the majority, and with that motion pending the bill and the two reports were placed, on motion of Mr. Stevens, in the regular order of Committee Reports for Tuesday next.

Mr. Duncan of Jaffrey for the Committee on Ways and Means, to whom was referred House Bill No. 201, An act in amendment of Section 16 of Chapter 56 of the Public Statutes, as amended by Chapter 82 of the Laws of 1911, relating to the taxation of wood and lumber, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Duncan of Jaffrey for the Committee on Ways and Means, reported the following entitled bill, House Bill No. 371, An act relating to an abatement of state and county taxes to towns having forest lands in the possession of the national government, with the recommendation that the bill ought to pass.

On motion of Mr. Cilley of Manchester, the rules were suspended, and the bill read a first and second time by title.

The bill already having been printed, on motion of Mr.

Cotton of Warren, the rules were suspended, the bill read a third time by title, passed, and ordered to the Senate for concurrence.

Mr. Duncan of Jaffrey for the Committee on Ways and Means, to whom was referred House Joint Resolution No. 41, Joint resolution relating to partial compensation to be paid to towns by the state for loss of taxes on forest lands in the possession of the national government, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, the subject-matter being covered by another bill favorably reported by the committee.

The report was accepted and the resolution of the committee adopted.

Mr. Duncan of Jaffrey for the Committee on Ways and Means, to whom was referred House Bill No. 131, An act relating to the rates of inheritance and succession taxes, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Duncan of Jaffrey for the Committee on Ways and Means, to whom was referred House Bill No. 24, An act providing for an excise tax for the purpose of doing business in the sale of gasoline and other products used in the propelling of motor vehicles and motor boats, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Duncan of Jaffrey for the Committee on Ways and Means, to whom was referred House Bill No. 30, An act in amendment of Sections 10 and 12 of Chapter 65 of the Public Statutes and the repeal of Sections 15 and 16 of said Chapter 65, entitled: "Taxation of savings banks and fire insurance companies, etc.," reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Duncan of Jaffrey, for the Committee on Ways and Means, to whom was referred House Bill No. 31, An act to amend Section 13 and repeal Sections 14, 15, 16 and 17 of Chapter 64 of the Public Statutes, entitled: "Taxation of railroads and telegraph and telephone lines," reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Duncan of Jaffrey, for the Committee on Ways and Means, to whom was referred House Bill No. 244, An act in amendment of Section 25, Chapter 119, Laws of 1921, entitled: "An act repealing Chapter 133 of the Laws of 1911, and amendments thereto, and enacting a motor vehicle law," reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Duncan of Jaffrey, for the Committee on Ways and Means, to whom was referred House Bill No. 29, An act to repeal Sections 1, 2, 3 and 4 of Chapter 14 of the Public Statutes, entitled: "The state tax and charter fees," and abolish the state tax, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Chandler of Conway for the Committee on Fish and Game, to whom was referred House Bill No. 290, An act in amendment of Section 23, Chapter 133, Laws of 1915, and Section 20, Chapter 133, Laws of 1915, in relation to pheasants, reported the same in new draft, with the recommendation that the bill in its new draft ought to pass.

Read a first and second time, tabled to be printed, and taken up in its regular order.

Mr. Chandler of Conway for the Committee on Fish and

Game, reported the following entitled bill: House Bill No. 374, An act authorizing permits to kill injurious animals, with the recommendation that the bill ought to pass.

Read a first and second time, tabled to be printed and taken up in its regular order.

#### VOTE RECONSIDERED.

Mr. Duncan of Jaffrey, having given notice of his intention to do so, on March 28, moved that the vote whereby Senate Bill No. 10, An act in relation to the exemption of certain persons from taxation, was voted inexpedient to legislate, be reconsidered.

The vote was in the affirmative.

Mr. Duncan then moved that the bill be recommitted to the Committee on Ways and Means, and the vote was in the affirmative.

#### BILLS INTRODUCED.

On motion of Mr. Hardy of Hollis, the rules were suspended to allow the introduction of the following reports by the Committee on Agriculture, without advertisement.

Mr. Hardy of Hollis, for the Committee on Agriculture, reported the following entitled bill, House Bill No. 378, An act to amend Section 8 of Chapter 133 of the Laws of 1915, relating to damages by game birds and quadrupeds with the recommendation that the bill ought to pass.

Mr. Hardy of Hollis, for the Committee on Agriculture, reported the following entitled bill, House Bill No. 379, An act to amend Section 20 (a) of Chapter 133 of the Laws of 1915 relating to ruffed grouse with the recommendation that the bill ought to pass.

Both bills were then read a first and second time, tabled to be printed and taken up in their regular order.

#### COMMITTEE REPORTS CONTINUED.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, to whom was referred House Bill No. 295, An act to fix the salaries of Registers of Deeds and Probate, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.



Amend by striking out the whole of Sections 2 and 3 and inserting in place thereof the following:

SECT. 2. The annual salaries of the registers of deed of the various counties of the State, beginning July 1, 1923, shall be as follows:

Rockingham County . . . . .	\$3,500.00
Strafford County . . . . .	2,000.00
Belknap County . . . . .	2,100.00
Carroll County . . . . .	1,500.00
Merrimack County . . . . .	3,500.00
Hillsborough County . . . . .	3,500.00
Cheshire County . . . . .	2,000.00
Sullivan County . . . . .	1,800.00
Grafton County . . . . .	3,000.00
Coos County . . . . .	1,800.00

SECT. 3. The annual salaries of the registers of probate of the various counties of the State, beginning July 1, 1923, shall be as follows:

Rockingham County . . . . .	\$3,500.00
Strafford County . . . . .	2,000.00
Belknap County . . . . .	1,800.00
Carroll County . . . . .	1,500.00
Merrimack County . . . . .	3,500.00
Hillsborough County . . . . .	3,500.00
Cheshire County . . . . .	1,500.00
Sullivan County . . . . .	1,500.00
Grafton County . . . . .	2,000.00
Coos County . . . . .	1,800.00

The undersigned, a minority of the Committee on Revision of Statutes, to whom was referred House Bill No. 295, An act to fix the salaries of registers of deeds and probate, being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

F. A. BATCHELDER,  
H. M. SMITH,  
W. E. PRICE,  
P. J. KING.

On motion of Mr. Lyford of Concord, it was voted that the bill and the two reports be recommitted to the Committee on Revision of Statutes.

#### BILL INTRODUCED.

On motion of Mr. Lyford of Concord, the rules were suspended to allow the introduction of a committee report without advertisement.

Mr. Smith of Peterborough, for the Committee on Judiciary, reported the following entitled bill, House Bill No. 380, An act relating to persons convicted of operating motor vehicles while under the influence of intoxicating liquor, with the recommendation that the bill ought to pass.

Read a first and second time, tabled to be printed, and taken up in the regular order.

#### SENATE BILL INTRODUCED.

The following Senate Bill was read a first and second time and referred to the Committee on Judiciary:

Senate Bill No. 33, An act relative to the official bond of the treasurer of counties.

#### AMENDMENTS ADOPTED.

The House voted to concur with the amendments offered by the Committee on Engrossed Bills and adopted by the Senate, to the following bills:

House Bill No. 107 (In New Draft), An act relating to the sale of farm produce.

House Bill No. 253, An act in amendment of Section 19 of Chapter 286 of the Public Statutes, relating to the salary of the treasurer of Hillsborough County.

The bills were sent to the Secretary of State to be engrossed.

#### THIRD READINGS.

On motion of Mr. Sibley of Manchester the rules were suspended and business in order at three o'clock was made in order at the present time.

On motion of Mr. Fernald of Dover the rules were further suspended and the third reading of bills was by title.

The following House Bills were severally read a third time, passed, and ordered to the Senate for concurrence:

House Bill No. 360, An act relative to the law of the road.

House Bill No. 209, An act to make uniform the law relating to the sale of goods and known as the Uniform Sales Act.

House Bill No. 14 (In New Draft), An act in amendment of Chapter 80 of the Laws of 1907, relating to marriages.

House Bill No. 221 (In New Draft), An act in amendment of and addition to Chapter 78, Laws of 1897, as amended by Chapter 30, Laws of 1919, relating to the creation of voting districts and additional polling places in city wards.

House Bill No. 354, An act to provide for the taxation of growing timber on woodlots not exceeding fifty acres.

The following Senate Bill was read a third time, passed, and sent to the Secretary of State to be engrossed:

Senate Bill No. 9, An act relating to the State Board of Education.

#### RESOLUTION.

Mr. Sibley of Manchester, offered the following resolution:

*Resolved*, That if the business of the House and all bills are passed and all Joint resolutions are put through, and it is the sentiment of the House, that the House adjourn, Friday, May 4th, at 5 P. M., 1923.

The resolution was laid upon the table.

#### ADJOURNMENT.

On motion of Mr. Kendall of Concord, it was voted that when the House adjourns today it be until tomorrow at 9.30, and that the adjournment from that session be until Monday at 7.30.

On motion of Mr. Fernald of Dover, at 1.30 the House adjourned.

FRIDAY, APRIL 13, 1923.

The House met at 9.30.

On motion of Mr. Nourse of Littleton, at 9.31 the House adjourned.

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MONDAY, APRIL 16, 1923.

The House met at 7.30.

The following communication was read:

CONCORD, N. H., April 16, 1923.

MR. HAMILTON A. KENDALL,  
CONCORD, N. H.

*Dear Sir:*

I shall be unable to attend the session this evening. Will you kindly preside for me, and oblige,

WILLIAM J. AHERN,  
*Speaker.*

On motion of Mr. Chandler of Conway, at 7.31 the House adjourned.

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TUESDAY, APRIL 17, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and Joint resolutions, sent up from the House of Representatives:

House Bill No. 41, An act to provide for a revision of the Public Laws.

House Bill No. 154, An act declaring pumps and tanks employed in the distribution and sale of gasoline and other motor vehicle fuels to be subject to taxation.

House Bill No. 314, An act in amendment of Section 2, Chapter 120, Laws of 1909, relating to sentence to the State Prison.

House Bill No. 369, An act legalizing certain proceedings at the adjourned meeting of the Town of Ashland, March 17, 1923.

House Joint Resolution No. 13, Joint resolution in favor of Hubert J. Kennedy.

House Joint Resolution No. 52, Joint resolution to provide for a deficit in the appropriation of the New Hampshire State Hospital for the fiscal period ending June 30, 1923.

House Joint Resolution No. 54, Joint resolution in favor of the estate of William B. Deal.

The message further announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendment:

Senate Bill No. 20, An act to provide for the increase of salary for sheriff of Hillsborough County.

#### LEAVES OF ABSENCE.

Messrs. Hayward of Berlin, and Mortenson of Gorham, were granted leave of absence for the week on account of business.

Messrs. Osborn of Sunapee, and Putnam of Lyndeborough, were granted leave of absence for the day on account of business.

Mr. Roby of Concord was granted leave of absence for the week on account of illness.

Messrs. Burke of Manchester, and Weston of Randolph, were granted leave of absence for the week on account of death in the family.

Messrs. Dodge of Manchester, and Ordway of Milford, were granted leave of absence for the day on account of illness.

Mr. Lang of Haverhill was granted leave of absence for the week on account of illness in family.

## COMMITTEE REPORTS.

Mr. Jones of Alton, for the Committee on Forestry, to whom was referred House Bill No. 355, An act for the conservation, valuation and taxation of the forests of the State, reported the same, in new draft and new title, with the recommendation that the bill, in its new draft and new title, ought to pass.

Read a first and second time, tabled to be printed, and taken up in its regular order.

Mr. Kendall of Concord for the Committee on Public Health, to whom was referred House Bill No. 147, An act regulating the slaughtering and inspecting of meat from neat cattle, sheep and swine, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Kendall of Concord for the Committee on Public Health, reported the following entitled Joint resolution, House Joint Resolution No. 61, Joint resolution to enable the State Board of Health to inspect meat and slaughtering establishments in the State, with the recommendation that the Joint resolution ought to pass.

Read a first and second time.

Mr. Pike of Brentwood moved that the Joint resolution be indefinitely postponed.

The vote was in the negative.

The Joint resolution was then tabled to be printed and referred to the Committee on Appropriations under the rules.

Mr. Fall of Tamworth for the Committee on Public Improvements, reported the following entitled bill, House Bill No. 382, An act in amendment of Chapter 147, Laws of 1915, relating to temporary absences of patients from the State Hospital, with the recommendation that the bill be printed, and referred to the Committee on Judiciary.

Read a first and second time, tabled to be printed, and referred to the Committee on Judiciary.

Mr. French of Laconia, for the Committee on Railroads, reported the following entitled bill, House Bill No. 384, An act in amendment of Section 2, Chapter 116, Laws of 1913, relating to caboose cars, with the recommendation that the bill ought to pass.

Read a first and second time, tabled to be printed, and taken up in its regular order.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, to whom was referred House Bill No. 182, An act in amendment of Chapter 31 of the Public Statutes, as amended by Chapter 52 of the Laws of 1899, Chapter 179 of the Laws of 1911, and Chapter 3 of the Special Session Laws of 1919, in relation to the rights and qualifications of voters, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 2 of said bill by striking out in line 3 the words "and supported by a town or the county" and insert in place thereof the words "or supported by a town or the county for a period of six continuous months prior to any election," so that said section as amended shall read:

"SECT. 2. No person shall be considered a pauper within the meaning of the preceding section unless such person is an inmate at a county farm or supported by a town or the county for a period of six continuous months prior to any election."

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Bass of Peterborough, for the Committee on Ways and Means, to whom was referred House Bill No. 153, An act to provide for a tax on income from certain forms of intangible property, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, the subject matter being covered by another bill.

The report was accepted and the resolution of the committee adopted.

Mr. Bass of Peterborough, for the Committee on Ways

and Means, reported the following entitled bill, House Bill No. 381, An act relative to the disposal of highway funds, with the recommendation that the bill ought to pass.

Read a first and second time, tabled to be printed, and taken up in its regular order.

Mr. Duncan of Jaffrey, for the Committee on Ways and Means, reported the following entitled bill, House Bill No. 383, An act in amendment of Section 5, Chapter 55, Laws of 1919, as amended by Section 3, Chapter 120, Laws of 1921, relating to permit fees on motor vehicles, with the recommendation that the bill ought to pass.

Read a first and second time by title, under a suspension of the rules on motion of Mr. Wood of Portsmouth, tabled to be printed and taken up in its regular order.

Pursuant to the vote of April 12, House Bill No. 218 (In New Draft and New Title), An act providing for a road toll on gasoline and similar products used in propelling motor vehicles on highways, and in amendment of Chapter 119, Laws of 1921, with the report of the Committee on Ways and Means that the bill ought to pass in its new draft and title, was brought before the House.

The question being: Shall the bill be read a third time?

Mr. Stevens of Landaff presented a report on the tax program, which, on motion of Mr. Lyford of Concord, it was voted to have separately printed.

(Discussion ensued.)

Mr. Callahan of Keene called for a division.

A division was had, which was manifestly in the affirmative, and the bill was ordered to a third reading.

Mr. Stevens of Landaff moved that the rules be so far suspended as to allow the bill to be read a third time by title, and put upon its passage at this time.

The vote was in the affirmative.

The bill was then read a third time by title, passed, and ordered to the Senate for concurrence.

Pursuant to the vote of April 12, House Bill No. 158 (In New Draft), An act in amendment of Sections 4 and 5 of



Chapter 65 of the Public Statutes and all amendments thereto, relating to the taxation of savings banks with the report of the Committee on Ways and Means that the bill in its new draft ought to pass, was brought before the House.

The question being: Shall the bill be read a third time?

(Discussion ensued.)

Mr. Girouard of Nashua moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being: Shall the bill be read a third time?, Mr. Lyford of Concord called for a division.

A division was had with the following result:

For third reading: 146.

Against third reading: 146.

Mr. Martin of Concord called for the yeas and nays, and the roll was called with the following result:

YEAS, 174.

ROCKINGHAM COUNTY.—McDuffee of Candia, Tenney of Chester, MacMurphy, Senecal, Taylor, Kent, Pridham, Wardman, Caldwell, Dowdell, Weeks of Portsmouth, Wood of Portsmouth, Kane, Bartlett of Raymond, Cowan.

STRAFFORD COUNTY.—Durkin, Ryan, Durnin, Gotts, Edgerly, Gelinas, Marcoux, Davis of Rollinsford, Girard, Cote, Gagne, Hanagan, Houle of Somersworth, Heon.

BELKNAP COUNTY.—Holmes, Dunlap, Kempton, Normandin, French, Badger, Sanborn of Tilton, Smith of Tilton, Laycock.

CARROLL COUNTY.—Philbrick, Fall.

MERRIMACK COUNTY.—Desroche, Rollins, Dodge of Concord, Cheney of Concord, Lyford, Kendall, Winant, Lee, Gannon, Garneau, Mahan, Judkins, Newton of Franklin, Murdock, LaSalle, Walker of Hopkinton, Martin of Pembroke, Cheney of Pittsfield, Sanborn of Salisbury, Johnson of Warner, Wheelwright, Seavey.

HILLSBOROUGH COUNTY.—Hoyt of Francestown, Childs, Cronan, Bartlett of Manchester, Yantis, Hartford, Johnson of Manchester, Moquin, Murphy of Ward 3, Manchester,

Nyberg, Burns of Manchester, Grant, Fitzgerald, Clancy, Connor, Coyne, Creighton, Fleming, Kelley of Ward 5, Manchester, Kenney, Laughlin, McNulty, Tobin, Barry of Manchester, Currier of Manchester, Murphy of Ward 6, Manchester, Sibley, Carr, Foye, Godbout, Healey, Quinn, Sullivan of Manchester, Bouchard, Chevrette, Donnelly, Leonard, McLaughlin, Morin, Conboy, McBride, Riley, Rourke, Getz, LeClerc, Ploss, Blais of Manchester, Craig, McDonnell, Roukey, Gauthier of Ward 12, Manchester, Maynard, Pecor, St. Germain, Duval, Gagnon, Gauthier of Ward 13, Manchester, Lovejoy, Wheeler of Nashua, Boilard, Dube, Trombly, Spillane, Sullivan of Ward 4, Nashua, Burns, of Nashua, Cotton of Nashua, Doyle, Lyons, Barry of Nashua, Hallisey, Rigney, Sylvestre, Bilodeau, Girouard, Papachristos, Pelletier, Bass, Tobey, Hickey.

CHESHIRE COUNTY.—Dewing of Alstead, Blake, Hogan, King of Keene, Landers, Tuttle, Wells of Walpole, Burt, Qualters.

SULLIVAN COUNTY.—Nichols, Rossiter, Thornton, Colby, Walker of Unity.

GRAFTON COUNTY.—Hardy of Ashland, Parker, Webster, Page, Stevens of Landaff, Eastman of Lebanon, Howard of Lebanon, Waterman, Houle of Littleton, Cotton of Warren, Sawyer.

COOS COUNTY.—Keleher, Larue, Griffin of Berlin, Young of Colebrook, Ferren, Pottle, Nutting, Hutchins of Stratford.

Mr. Rudd of Franconia voting no was paired with Mr. Mortenson of Gorham voting yes.

NAYS, 153.

ROCKINGHAM COUNTY.—Griffin of Auburn, Pike, White, Knights, Swain, Daniell, Randall, Farmer of Hampton Falls, Rousseau, Dow of North Hampton, Smith of Portsmouth, Trafton, Casey, Cronin, Cox of Portsmouth, Rand, Coles, Felch, Dow of Windham.

STRAFFORD COUNTY.—Locke, Cloutman, Reynolds, Howard of Dover, Fernald, Webb, Roberts of Dover, Fogg,

Smith of Farmington, Comings, Lawrence, Stevens of Milton, Meader, McDuffee of Rochester, Chesley, Preston.

BELKNAP COUNTY.—Jones of Alton, Smith of Belmont, Sanborn of Center Harbor, Weeks of Gilford, Avery, Merrill of Laconia, Roberts of Meredith, Gordon of New Hampton, Wright.

CARROLL COUNTY.—Hamlin, Willey, Chandler, Currier of Conway, Ela, Chick, Blanchard, Smart, Hoyt of Sandwich, Thomas, Lord of Wakefield, Clow, Hale.

MERRIMACK COUNTY.—Grimes, Albee, Sanborn of Bradford, Tallman, Rolfe, Robinson of Concord, Phillips, Danforth, Newton of Concord, Cressy, Martin of Concord, Carleton of Concord, Lund, Fowler, Aiken, Gilchrist, Hill of Loudon, Cutting, Carter, Wells of Sutton.

HILLSBOROUGH COUNTY.—Ford, Flint, Clark of Bedford, Balch, Davis of Goffstown, Spaulding of Goffstown, Russell, Weston, Butler, Hardy of Hollis, Merrill of Hudson, Spaulding of Hudson, Cilley, Cox of Manchester, Smith of Manchester, Dionne, Gordon of Merrimack, Robinson of Milford, Winslow, Eaton, Pentland, Christie, Carleton of Pelham, Smith of Peterborough, Eastman of Weare.

CHESHIRE COUNTY.—Spring, Garfield, Firmin, Bemis, Callahan, Mason, Jones of Keene, Reed, Barrett of Keene, Empey, Gates, Sawtelle, Davis of Stoddard, Ball, King of Walpole, Kellom.

SULLIVAN COUNTY.—Barry of Charlestown, Brooks, Tenney of Claremont, Wolcott, Barton, Bluitte, Glynn, Lewis, Farnsworth.

GRAFTON COUNTY.—Collins, Pulsifer of Campton, Ashley, Hill of Enfield, Cross, Davison, Pulsifer of Holderness, Ross, Stanley, Hallett, Price, MacLeod, Harris, Chase, Kidder, Fadden, Howard of Piermont.

COOS COUNTY.—Moore, Hutchins of Berlin, Sims, McHugh, Jacobs, Nay, Rowden, Brown, Snow.

The bill was ordered to a third reading.

On motion of Mr. Stevens of Landaff the rules were suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

On motion of Mr. Wood of Portsmouth the House took a recess of one hour.

(After recess.)

Pursuant to the vote of April 12, House Bill No. 152 (In New Draft and New Title), An act relating to the distribution of the personal property of deceased persons, with the report of the Committee on Ways and Means that the bill in its new draft and title ought to pass, was brought before the House.

The bill was ordered to a third reading.

On motion of Mr. Stevens of Landaff the rules were suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

Pursuant to the vote of April 12, House Bill No. 372, An act relating to the rates of inheritance and succession taxes, with the report of the Committee on Ways and Means that the bill ought to pass, was brought before the House.

The bill was ordered to a third reading.

On motion of Mr. Stevens of Landaff the rules were suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

On motion of Mr. Stevens of Landaff it was voted that the vote whereby House Bill No. 152 (In New Draft and Title) passed, be reconsidered.

The question then being: Shall the bill pass?, the vote was in the affirmative, the bill passed and ordered to the Senate for concurrence.

Pursuant to the vote of April 12th, House Bill No. 28, An act for the taxing of incomes derived from intangibles with the report of the Committee on Ways and Means, that the bill in new draft ought to pass, and minority report; ought to pass with amendment, and the motion of Mr. Stevens of Landaff to substitute was brought before the House.

On motion of Mr. Stevens of Landaff, it was voted that the matter be placed in the regular order for tomorrow.

#### REGULAR ORDER.

The following bills having been printed were taken from the table and ordered to a third reading:

House Bill No. 375, An act relating to bonds to be furnished by officers of savings banks.

House Bill No. 377, An act providing for the propounding and prosecution of a claim by and in the name of the State of New Hampshire against the Federal Government for the recovery of taxes heretofore illegally assessed against citizens and residents of New Hampshire and paid by them.

House Bill No. 290 (In New Draft), An act in amendment of Section 23, Chapter 133, Laws of 1915, and Section 20, Chapter 133, Laws of 1915, in relation to pheasants.

House Bill No. 374, An act authorizing permits to kill injurious animals.

House Bill No. 378, An act to amend Section 8, Chapter 133, Laws of 1915, relating to damages by game birds and quadrupeds.

House Bill No. 380, An act relating to persons convicted of operating motor vehicles while under the influence of intoxicating liquor.

House Bill No. 366, An act providing for reduction in allotments of State Aid for schools when the appropriation is insufficient to meet approved claims of school districts.

House Bill No. 370, An act relating to motor vehicles.

House Bill No. 379, An act to amend Section 20 of Chapter 133, Laws of 1915, relating to ruffed grouse, was taken from the table, and on motion of Mr. Cilley of Manchester, put in the regular order for tomorrow.

#### UNFINISHED BUSINESS.

Mr. Barry of Manchester, called for the unfinished business, it being House Bill No. 27, An act relating to the registration of motor vehicles, with the motion of Mr. Hoyt of Francestown, to indefinitely postpone.

The question being on the postponement, Mr. Hoyt of Francestown called for a division.

A division was had with the following result:

For postponement, 102.

Against postponement, 150.

The vote against postponement being insufficient under the rules, the vote was of no effect and the matter placed in unfinished business.

SPECIAL ORDER.

Mr. Lyford of Concord called for the Special Order, it being:

House Bill No. 238 (In New Draft), An act enlarging the powers of the Moore's Falls Corporation, the majority report: ought to pass; minority report: inexpedient to legislate, and the motion of Mr. Barry of Nashua to substitute the minority report for that of the majority.

The question being on the motion to substitute

(Discussion ensued).

Mr. Donnelly of Manchester moved the previous question.

The question being: Shall the report of the minority be substituted for that of the majority?, Mr. Burns of Manchester called for a division.

A division was had with the following result:

For substitution, 49.

Against substitution, 167.

The report of the majority was accepted.

Mr. Bass of Peterborough offered the following amendment, which was adopted:

Amend Section 1 by striking out in Line 25 of the printed bill the words "or any other town or city"; further amend by striking out the words "the Manchester Traction, Light and Power Company" in Lines 33 and 34 of the printed bill, so that said section, as amended, shall read as follows:

SECTION 1. Upon obtaining from the Public Service Commission, in accordance with Chapter 64, Section 2 of the Laws of 1921, an order authorizing the erection and maintenance of a dam across the Merrimack River at or near Moore's Falls, so-called, in the Towns of Litchfield and Merrimack, Moore's Falls Corporation, a corporation organized under the Business Corporation Law for the pur-

pose of generating and transmitting electrical energy from such dam and distributing it in the City of Manchester or elsewhere for public distribution or for the operation of mills, railroads or public utilities or either of the same, and its successors and assigns, are hereby authorized (a) to lay suitable cables or other appliances for the transmission of electric current along the bed of the Merrimack River or any tributary thereof in the Towns of Merrimack, Litchfield and Bedford and the City of Manchester, but not in such manner as to obstruct or render dangerous any public use to which said waters may be adapted; (b) to install and maintain over said river or on private land or in streets and highways subject to the provisions of Chapter 81 of the Public Statutes and its amendments, conduits, lines of towers, poles and wires and other suitable apparatus for electrical transmission and distribution within said municipalities, and (c) to purchase and hold, or take and appropriate as hereinafter provided all rights of way and other easements necessary for the construction, maintenance and operation of such cables and transmission and distribution lines; *provided*, that said corporation shall not engage in the business of distributing electricity in any city or town further than to supply the same to the Amoskeag Manufacturing Company, the Devonshire Mills, and their respective successors and assigns, without first obtaining permission from the Public Service Commission in accordance with Chapter 164 of the Laws of 1911 and its amendments.

Mr. Stevens of Landaff, offered the following amendment which was adopted:

Amend Section 1 by adding at the end of said section the words "The laying of any cables in the Merrimack River or its tributaries authorized by this act shall be in accordance with plans approved by the Public Service Commission," so that said section as amended shall read:

SECTION 1. Upon obtaining from the Public Service Commission, in accordance with Chapter 64, Section 2 of Laws of 1921, an order authorizing the erection and maintenance of a dam across the Merrimack River at or near

Moore's Falls, so-called, in the Towns of Litchfield and Merrimack, Moore's Falls Corporation, a corporation organized under the Business Corporation Law for the purpose of generating and transmitting electrical energy from such dam and distributing it in the City of Manchester or elsewhere for public distribution or for the operation of mills, railroads or public utilities or either of the same, and its successors and assigns, are hereby authorized (a) to lay suitable cables or other appliances for the transmission of electric current along the bed of the Merrimack River or any tributary thereof in the Towns of Merrimack, Litchfield and Bedford and the City of Manchester, but not in such manner as to obstruct or render dangerous any public use to which said waters may be adapted; (b) to install and maintain over said river or on private land or in streets and highways subject to the provisions of Chapter 81 of the Public Statutes and its amendments, conduits, lines of towers, poles and wires and other suitable apparatus for electrical transmission and distribution within said municipalities; and (c) to purchase and hold, or take and appropriate as hereinafter provided all rights of way and other easements necessary for the construction, maintenance and operation of such cables and transmission and distribution lines; *provided*, that said corporation shall not engage in the business of distributing electricity in any city or town further than to supply the same to the Amoskeag Manufacturing Company, the Devonshire Mills, and their respective successors and assigns, without first obtaining permission from the Public Service Commission in accordance with Chapter 164 of Laws of 1911 and its amendments.

The laying of any cables in the Merrimack River or its tributaries authorized by this act shall be in accordance with plans approved by the Public Service Commission.

The bill was ordered to a third reading.

#### RESOLUTION PRESENTED.

Mr. Getz of Manchester presented the following resolution:



*Resolved*, That hereafter all debate in the House other than by members of the committee reporting the bill or resolution, be limited to five minutes.

On motion of Mr. Lyford of Concord the resolution was laid on the table.

On motion of Mr. Lyford of Concord at 2.59 the House adjourned from the morning session.

### AFTERNOON.

The House met at 3 o'clock.

### THIRD READINGS.

The following bills were severally read a third time by title on motion of Mr. Aiken of Franklin under a suspension of the rules, passed, and ordered to the Senate for concurrence:

House Bill No. 325 (In New Draft), An act to regulate the sale of grain.

House Bill No. 373, An act to exempt from taxation the Woman's Realty Company of Portsmouth.

House Bill No. 191, An act in amendment of the laws relating to legacy and succession taxes.

House Bill No. 192, An act relating to the tax upon the transfer at death of personal property of non-residents.

House Bill No. 201, An act in amendment of Section 16 of Chapter 56 of the Public Statutes as amended by Chapter 82 of the Laws of 1911, relating to the taxation of wood and lumber.

Mr. Cronin of Portsmouth moved to reconsider the vote whereby House Bill No. 373 was passed, and on that motion called for a division.

A division was had with the following result:

For reconsideration: 20.

Against reconsideration: 78.

And it appearing that no quorum was present the matter went into unfinished business and at 5.45 the Speaker adjourned the House.

WEDNESDAY, APRIL 18, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed bills to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 314, An act in amendment of Section 2, Chapter 120, Laws of 1909, relating to sentence to the State Prison.

Amend Section 1 of said bill by inserting before the word "by" in the first line the words "as amended by Section 1, Chapter 52, Laws of 1917."

Further amend Section 1 of said bill by adding at the end thereof the following: "In cases of exceptionally meritorious conduct, the Governor and Council may in like manner issue such permit at a time in advance of the expiration of the minimum term of sentence, to be computed by deducting therefrom not more than three days for each month of such minimum term of sentence."

House Bill No. 363, An act in amendment of the Charter of the City of Somersworth.

Amend said bill by striking out the first five lines in Section 1 and inserting in place thereof the following:

SECTION 1. Amend Section 20, Chapter 171, Laws of 1893 by striking out the word "nine" in the fourth line and substituting in place thereof the word "Ten" so that said section as amended shall read as follows:

Further amend said bill by striking out the fourteenth, fifteenth, sixteenth, seventeenth and eighteenth lines of Section 1 and inserting in place thereof the following:

SECT. 2. Amend Section 21, Chapter 171, Laws of 1893, by inserting before the word "said" in the first line the

following: "The mayor of said city shall, *ex-officio* be a member of said school board, with full power and authority as a member thereof. The remaining nine members of," so that said section as amended shall read as follows:

The message further announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 351, An act in amendment of Chapter 177 of the Laws of 1917, entitled: An act to more effectively restrain agreements to regulate and fix prices of commodities in this State and to restrain combinations and monopolies in commodities and provide penalties therefor.

The message further announced that the Senate has passed the following entitled bill, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 34 (New Draft and New Title), An act to prohibit the sale and manufacture of inflammable stove polishes.

#### LEAVES OF ABSENCE.

Messrs. Doyle, Rigney, and Sullivan, all of Nashua were granted leave of absence for the day on account of business.

Mr. Bemis of Haverhill was granted leave of absence for the week on account of illness.

#### REPORTS OF COMMITTEES.

Mr. Colby of Plainfield, for the Committee on Engrossed Bills, reported that the Committee has examined and found correctly engrossed the following entitled bills and Joint resolutions:

Senate Bill No. 12, An act to require the teaching of the Constitutions of the United States and of New Hampshire in the public and private schools.

Senate Bill No. 16, An act for the punishment of persons issuing worthless checks.

Senate Bill No. 20, An act to provide for increase of salary for sheriff of Hillsborough County.

Senate Bill No. 27, An act to change the name of John Young Pond in Lyman.

House Bill No. 41, An act to provide for a revision of the public laws.

House Bill No. 154, An act declaring pumps and tanks employed in the distribution and sale of gasoline and other motor vehicle fuels to be subject to taxation.

House Bill No. 297, An act in amendment of Section 14 of Chapter 192 of the Public Statutes, relating to the reports of commissioners.

House Bill No. 298, An act in amendment of Section 1 of Chapter 193 of the Public Statutes, relating to the acceptance of commissioners' reports.

House Bill No. 352, An act to legalize the annual meeting of the Conway Village Fire District held on the twenty-sixth day of March, 1923.

House Bill No. 357, An act to legalize the vote and proceedings at the annual town meeting holden in Colebrook, March, 1921, relating to exemption from taxation of Dr. Kerr's hospital.

House Bill No. 358, An act to authorize the school district of the Town of Claremont to raise money at a special meeting thereof.

House Bill No. 361, An act in amendment of Chapter 177, Laws of 1885, as amended by Chapter 199 of the Laws of 1895, Chapter 153 of the Laws of 1897, Chapter 199 of the Laws of 1899, and Chapter 182 of the Laws of 1901, being the Charter of the Manchester Traction, Light & Power Company.

House Bill No. 362, An act to authorize the Woodsville Fire District of the Town of Haverhill to exceed its limit of bonded indebtedness as fixed by Chapter 129, Laws of 1917, and to issue serial notes or bonds.

House Bill No. 369, An act legalizing certain proceedings at the adjourned meeting of the Town of Ashland, March 17, 1923.

House Joint Resolution No. 13, Joint resolution in favor of Hubert J. Kennedy.

House Joint Resolution No. 52, Joint resolution to provide for a deficit in the appropriation of the New Hampshire State Hospital for the fiscal period ending June 30, 1923.

House Joint Resolution No. 54, Joint resolution in favor of the estate of William B. Deal.

The report was accepted.

On motion of Mr. Kenney of Manchester, it was voted that the rules be so far suspended as to allow the introduction of a Committee Report by the Special Committee of the Manchester Delegation, without advertisement.

On motion of Mr. Lyford of Concord, it was voted that the rules be so far suspended as to allow the introduction of a Committee Report by the Committee on Judiciary, without advertisement.

Pursuant to the foregoing vote, Mr. Craig of Manchester, for the Special Committee consisting of the Manchester Delegation, to whom was referred House Bill No. 245, An act for the partial exemption of certain property to be used for hotel purposes in the City of Manchester, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the adoption of the resolution, discussion ensued.

Mr. Foye of Manchester, moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being on the adoption of the resolution of the Committee, inexpedient to legislate, Mr. Craig of Manchester, called for a division.

A division was had with the following result:

For the resolution, 149; against the resolution, 178.

The resolution was not adopted.

Mr. McNulty of Manchester, presented the following amendment which was adopted:

Amend Section 2 by striking out the words "upon its passage" and inserting in place thereof the following:

“after the voters of Manchester have approved the same at the next municipal election,” so that said section, as amended, shall read as follows:

SECT. 2. This act shall take effect after the voters of Manchester have approved the same at the next municipal election.

On motion of Mr. Kenney of Manchester, the rules were suspended, the bill read a third time by title, passed, and ordered to the Senate for concurrence.

Mr. Doyle of Nashua for the Committee on Revision of the Statutes, to whom was referred House Bill No. 295, An act to fix the salaries of registers of deeds and probate, reported the same in new draft, with the recommendation that the bill in its new draft ought to pass.

The undersigned, a minority of the Committee on Revision of the Statutes, to whom was referred House Bill No. 295, An act to fix the salaries of registers of deeds and probate, and being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

FRANK A. BATCHELDER,  
HAROLD M. SMITH,  
W. E. PRICE,  
PETER J. KING.

Mr. Smith of Portsmouth moved to substitute the report of the minority for that of the majority.

(Discussion ensued.)

The vote on the substitution was in the negative.

The report of the majority was adopted, the printing dispensed with on motion of Mr. Martin of Concord, and the bill referred to the Committee on Appropriations under the rules.

On motion of Mr. Martin of Concord, it was voted that the House take a recess for one hour.

(After recess.)

## LEAVE OF ABSENCE.

Mr. Wood of Stewartstown was granted leave of absence for the balance of the week on account of illness in the family.

## REGULAR ORDER.

On motion of Mr. Lyford of Concord, it was voted that the rules be so far suspended as to allow House Bill No. 28, An act to provide for the taxation of incomes derived from intangibles, the report of the majority of the Committee on Ways and Means, ought to pass in new draft and new title, minority report, ought to pass with amendment, and the pending motion of Mr. Stevens of Landaff to substitute the minority report for that of the majority, to be brought before the House at this time.

The question being on the substitution, discussion ensued.

On motion of Mr. Lyford of Concord, it was voted that the bill and reports with the motion pending be put in the regular order for to-morrow.

## COMMITTEE REPORTS.

Pursuant to the vote previously taken, Mr. Eaton of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 382, An act in amendment of Chapter 147, Laws of 1915, relating to temporary absence of patients from the State Hospital, reported the same, with the recommendation that the bill ought to pass.

On motion of Mr. Lyford of Concord, the bill and report were placed in the regular order for to-morrow.

## CHANGE OF ORDER.

On motion of Mr. Tobey of Temple it was voted that House Bill No. 379, An act to amend Section 20 (a) of Chapter 133 of the Laws of 1915, relating to ruffed grouse, in the regular order for to-day, be passed and placed in the regular order for to-morrow.

## COMMITTEE REPORTS.

Mr. Fogg of Durham for the Committee on Agricultural College, reported the following entitled bill, House Bill No. 385, An act relating to the New Hampshire College of Agriculture and the Mechanic Arts and establishing the University of New Hampshire, with the recommendation that the bill ought to pass.

Read a first and second time by title, under a suspension of the rules, on motion of Mr. Comings of Lee, tabled to be printed and taken up in its regular order.

Mr. Fleming of Manchester for the Committee on Claims, reported the following entitled bill, House Bill No. 386, An act relating to issuance of permits for Flower and Tag days, with the recommendation that the bill ought to pass.

Read a first and second time. On motion of Mr. Kenney of Manchester, the rules were suspended, the printing dispensed with, and the bill referred to the Special Committee consisting of the Manchester Delegation.

Mr. Davison of Haverhill for the Committee on Judiciary, reported the following entitled bill, House Bill No. 387, An act to authorize the conveyance of the interest of the State in a certain parcel of land in the Town of Haverhill, to said town, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Davison of Haverhill the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

Mr. Harris of Orford for the Committee on Education, to whom was referred Senate Bill No. 32, An act to provide safety exit facilities for schoolhouses, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.



Mr. Chandler of Conway for the Committee on Fisheries and Game, reported the following entitled bill, House Bill No. 388, An act amending Sub-division (a), Section 28, Laws of 1915, as amended by Section 13, Chapter 184, Laws of 1917, as amended by Section 14, Chapter 140 and Section 1, Chapter 89, Laws of 1921, relating to brook trout, with the recommendation that the bill ought to pass.

Read a first time.

Mr. Callahan of Keene rose to a Parliamentary inquiry, it being the fact that a part of the subject-matter of the bill has been covered by another bill, which has been indefinitely postponed.

On motion of Mr. Blanchard of Moultonborough it was voted that the bill be recommitted to the Committee on Fish and Game.

#### RESOLUTION PRESENTED.

Mr. Sibley of Manchester presented the following resolution:

*Resolved*, That the working days of the Legislature for the rest of the session, beginning April 17, 1923, shall begin at 11 A. M., and continue until the day's work is done, working Tuesdays, Wednesdays, Thursdays and Fridays, finishing on May 4, 1923 at 5 P. M.

On motion of Mr. Girouard of Nashua the resolution was laid on the table.

#### COMMITTEE REPORT CONTINUED.

Mr. Duncan of Jaffrey for the Committee on Ways and Means to whom was referred House Bill No. 216, An act in relation to distribution of railroad taxes, reported the same with the following amendment and the recommendation that the bill as amended ought to pass.

Amend Section 2 by striking out the words: "upon its passage," and insert in place thereof, "April 1, 1924," so that the same shall read:

SECT. 2. This act shall take effect April 1, 1924.

The undersigned, a minority of the Committee on Ways

and Means, to whom was referred House Bill No. 216, An act in relation to distribution of railroad taxes, and being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

GEO. A. WOOD,  
OSBORN J. SMITH,  
F. W. ORDWAY,  
A. G. GELINAS,  
F. P. LAUGHLIN,  
C. W. TOBEY,  
L. S. MARTIN.

Mr. Wood of Portsmouth, moved that the minority report be substituted for that of the majority, and that the bill and reports with the motion to substitute pending, be placed in the regular order for tomorrow.

The vote was for the adoption of the motion.

#### AMENDMENTS CONSIDERED.

On motion of Mr. Gagne of Somersworth, it was voted to concur with the Senate in the amendments offered by the Committee on Engrossed bills to the following House Bills, and adopted by the Senate:

House Bill No. 314, An act in amendment of Section 2, Chapter 120, Laws of 1909, relating to sentence to the State Prison.

House Bill No. 363, An act in amendment of the Charter of the City of Somersworth.

The bills were sent to the Secretary of State to be engrossed.

#### SENATE BILL INTRODUCED.

The following Senate Bill was introduced read a first and second time, and referred to the Committee on Judiciary:

Senate Bill No. 34 (New Title and New Draft), An act to prohibit the sale and manufacture of inflammable stove polishes.

On motion of Mr. Martin of Concord, at 2.59 the House adjourned from the morning session.

## AFTERNOON.

The House met at 3 o'clock.

On motion of Mr. Kenney of Manchester, it was voted that the rules be suspended and the third readings be by title.

The following bills were severally read a third time by title, passed, and ordered to the Senate for concurrence:

House Bill No. 375, An act relating to bonds to be furnished by officers of savings banks.

House Bill No. 377, An act providing for the propounding and prosecution of a claim by and in the name of the State of New Hampshire against the Federal Government for the recovery of taxes heretofore illegally assessed against citizens and residents of New Hampshire and paid by them.

House Bill No. 290 (In New Draft), An act in amendment of Section 23, Chapter 133, Laws of 1915, and Section 20, Chapter 133, Laws of 1915, in relation to pheasants.

House Bill No. 374, An act authorizing permits to kill injurious animals.

House Bill No. 378, An act to amend Section 8, Chapter 133, Laws of 1915, relating to damages by game birds and quadrupeds.

House Bill No. 380, An act relating to persons convicted of operating motor vehicles while under the influence of intoxicating liquor.

House Bill No. 366, An act providing for reduction in allotments of State Aid for schools when the appropriation is insufficient to meet approved claims of school districts.

House Bill No. 370, An act relating to motor vehicles.

The following bill was read a third time:

House Bill No. 238 (In New Draft), An act enlarging the powers of the Moore's Falls Corporation.

The question being: Shall the bill pass? Mr. Gagne of Somersworth, moved to indefinitely postpone the bill.

On the motion to postpone, Mr. Weeks of Gilford called for a division.

A division was had with the following result:

For postponement, 35.

Against postponement, 131.

No quorum being present the matter went into unfinished business and the Speaker at 5.45 adjourned the House.

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THURSDAY, APRIL 19, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

LEAVES OF ABSENCE.

Mr. Jewett of Laconia was granted leave of absence for the day on account of important business.

MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 53, An act in amendment of Chapter 4 of the Laws of 1919, as passed by the special session of the Legislature in September 1919, relating to poll tax.

House Bill No. 97, An act to amend Chapter 227, Laws of 1917, relating to grading, packing and shipping and sale of apples.

House Bill No. 143, An act relating to the supervision of police affairs in cities.

House Bill No. 318, An act relating to the powers and duties of the Commissioner of Fish and Game.

The Senate has passed the following entitled bills in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 7 (In House New Draft and in Senate New Draft), An act in relation to the foreclosure of power of sale mortgages of real estate.

Senate Bill No. 28, An act in amendment of the Fish and

Game Laws, relating to the taking and possession of pick-erel.

Senate Bill No. 35, An act to establish water-works in the Town of Hooksett or any village districts thereof.

The message further announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 141, An act in amendment of Chapter 133, Laws of 1915, relating to Fish and Game.

House Bill No. 299, An act relating to Antwerp or Homing pigeons.

House Bill No. 308, An act to regulate the salary of the Solicitor of Rockingham County.

House Bill No. 365, An act to legalize certain acts of the Bethlehem Village precinct and to authorize the precinct to issue bonds to refund outstanding water bonds.

House Bill No. 367, An act in amendment of Chapter 208 of the Laws of 1883, entitled: "An act to incorporate the New Hampshire Odd Fellows Widows' and Orphans' Home" as amended by Chapter 174 of the Laws of 1885.

House Bill No. 356, An act relating to the issue of bonds by the school district of the Town of Salem.

House Bill No. 26, An act to control the possession, sale and use of pistols and revolvers.

House Bill No. 322, An act to amend paragraph (a) Section 16, Chapter 133, Laws of 1915, as amended by Section 11, Chapter 152, Laws of 1919, relating to gray squirrels.

House Bill No. 302 (In New Draft), An act to regulate the shipment of live stock.

House Bill No. 306 (In New Draft), An act enabling the Town of Ossipee to exempt from taxation certain property in that town to be used for hotel purposes.

#### REPORTS OF COMMITTEES.

Mr. Converse of Lyme, for the Committee on Engrossed Bills, reported that the Committee has examined and found correctly engrossed the following entitled bills:

Senate Bill No. 9, An act relating to the state board of education.

House Bill No. 107, An act relating to the sale of farm produce.

House Bill No. 253, An act relating to the salary of the treasurer of Hillsborough County.

The report was accepted.

Mr. Eaton of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 241 (New Draft), An act relating to the regulation of building and the location of trades and industries in cities and towns, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by inserting a new section, to be numbered Section 3, as follows:

SECT. 3. Any land or building used or to be used by a railroad or a public utility subject to regulation by the Public Service Commission shall be exempted from the operation of any ordinance or by-law enacted under Sections 1 and 2, if, upon a petition for the purpose the Public Service Commission shall, after a public hearing, decide that the present or proposed use of land or location and use of such building is reasonably necessary for the convenience or welfare of the public. The decision of the Public Service Commission in any such case shall supersede any such ordinance or by-law, and shall be subject to appeal in the same manner as other orders and decisions of the Public Service Commission, in accordance with Chapter 164 of the Laws of 1911 and amendments thereto.

Further amend said bill by re-numbering Section 3 so that it shall be Section 4.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Davison of Haverhill for the Committee on Judiciary, to whom was referred House Bill No. 193, An act to provide for a legislative draftsman in connection with the legislative reference bureau established under Chapter 206, Sections

1 and 2 of the Laws of 1913, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Davison of Haverhill for the Committee on Judiciary, to whom was referred Senate Bill No. 33, An act relative to the official bond of the treasurer of counties, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Lord of Manchester it was voted that the rules be so far suspended as to allow the introduction of unadvertised reports from the Committee on Appropriations.

Pursuant to that vote Mr. Lord of Manchester for the Committee on Appropriations, reported the following entitled bill, House Bill No. 391, An act relative to the inspection and sale of coal, with the recommendation that the bill ought to pass.

Read a first and second time.

Mr. Lord of Manchester moved that the rules be suspended, the printing dispensed with, and the bill put on its third reading by title and passage at this time.

Mr. Kenney of Manchester offered the following amendment, which was adopted:

Amend Section 1 of said bill by striking out in the twelfth line the word "may" and substitute in place thereof the word "shall".

The rules were then suspended, the bill read a third time by title, passed, and ordered to the Senate for concurrence.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 79, An act in amendment of Section 7 of Chapter 58 of the Laws of 1915, entitled: "An act creating a Board of Bank Commissioners and abolishing the office of State Auditor," reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Lyford of Concord, it was voted that the rules be so far suspended as to allow House Bill No. 28, An act to provide for the taxation of incomes derived from intangibles, the report of the majority of the Committee on Ways and Means, ought to pass in new draft and new title, minority report, ought to pass with amendment, and the pending motion of Mr. Stevens of Landaff to substitute the minority report for that of the majority, to be brought before the House at this time.

The question being on the substitution, discussion ensued.

Mr. Wright of Sanbornton moved that the bill and reports be indefinitely postponed, and on that question, Mr. Sibley of Manchester, called for a division.

A division was had with the following result:

For postponement, 125; against postponement, 124.

Mr. Stevens of Landaff, called for the Yeas and Nays, and the roll was called with the following result:

#### YEAS, 117.

ROCKINGHAM COUNTY.—Wheeler of Atkinson, McDuffee of Candia, Knights, Batchelder, Merrill of Exeter, Swain, Daniell, Randall, Hobbs, Blodgett, Bartlett of Kingston, Kent, Littlefield, Dow of North Hampton, Smith of Portsmouth, Trafton, Rand, Dow of Windham.

STRAFFORD COUNTY.—Locke, Cloutman, Reynolds, Fernald, Roberts of Dover, Smith of Farmington, Comings.

BELKNAP COUNTY.—Holmes, Smith of Belmont, Sanborn of Center Harbor, Weeks of Gilford, Goodwin, Avery, Merrill of Laconia, Badger, Holt, Roberts of Meredith, Gordon of New Hampton, Wright.

CARROLL COUNTY.—Willey, Smart, Hale.

MERRIMACK COUNTY.—Grimes, Albee, Sanborn of Bradford, Tallman, Robinson of Concord, Cheney of Concord, Danforth, Newton of Concord, Cressy, Kendall, Martin of Concord, Roby, Lee, Lund, Aiken, Gilchrist, Hill of Loudon, Cutting, Cheney of Pittsfield, Jackson.



HILLSBOROUGH COUNTY.—Ford, Clark of Bedford, Balch, Davis of Goffstown, Spaulding of Goffstown, Childs, Hardy of Hollis, Spaulding of Hudson, Cilley, Dodge of Manchester, Cox of Manchester, Craig, Gordon of Merrimack, Winslow, Pentland, Doyle, Christie.

CHESHIRE COUNTY.—Hopkins of Keene, Mason, Reed, Barrett of Keene, Empey, Gates, Sawtelle, Davis of Stoddard, Ball, Dickinson.

SULLIVAN COUNTY.—Barry of Charlestown, Etsler, Pierce of Claremont, Tenney of Claremont, Wolcott, Franklyn, Barton, Bluitte, Glynn, Lewis, Robinson of Newport, Colby, Osborne.

GRAFTON COUNTY.—Southard, Collins, Pulsifer of Camp-ton, Ashley, Hill of Enfield, Rudd, Davison, Ross, Waterman, Converse, Harris, Kidder, Howard of Piermont.

COOS COUNTY.—Sims, Ferren, Brown, Snow.

#### NAYS, 145.

ROCKINGHAM COUNTY.—Griffin of Auburn, Tenney of Chester, MacMurphy, Senecal, Taylor, Ladd, Rousseau, Wardman, Dowdell, Weeks of Portsmouth, Wood of Portsmouth, Casey, Cronin, Cowan.

STRAFFORD COUNTY.—Durkin, Webb, Ryan, Fogg, Lawrence, Gotts, Gelinas, Cote, Gagne, Hanagan, Preston.

BELKNAP COUNTY.—Jones of Alton, Dunlap, Kempton, Normandin, French, Laycock, Sanborn of Tilton, Smith of Tilton.

CARROLL COUNTY.—Hamlin, Philbrick, Fall.

MERRIMACK COUNTY.—Rolfe, Phillips, Lyford, Carleton of Concord, Winant, Gannon, Fowler, Garneau, Mahan, Judkins, Newton of Franklin, LaSalle, Carter, Martin of Pembroke, Wells of Sutton, Wheelwright, Seavey.

HILLSBOROUGH COUNTY.—Rockwood, Hoyt of Frances-town, Russell, Butler, Merrill of Hudson, Putnam, Cronan, Bartlett of Manchester, Hartford, Johnson of Manchester, Grant, Fitzgerald, Clancy, Creighton, Fleming, Kelley of Ward 5, Manchester, Kenney, Laughlin, McNulty, Tobin, Barry of Manchester, Murphy of Ward 6, Manchester,

Sibley, Smith of Manchester, Godbout, Healey, Quinn, Sullivan of Manchester, Chevrette, Donnelly, Leonard, Conboy, McBride, Riley, Getz, Blais of Manchester, McDonnell, Roukey, Gauthier of Ward 12, Manchester, Lamy, Maynard, Pecor, Dionne, Duval, Gagnon, Lovejoy, Robinson of Milford, Wheeler of Nashua, Dube, Trombly, Barry of Nashua, Bilodeau, Girouard. Papachristos, Carleton of Pelham, Bass, Smith of Peterborough, Tobey, Eastman of Weare, Hickey.

CHESHIRE COUNTY.—Dewing of Alstead, Garfield, Firmin, Duncan, Hogan, Callahan, Jones of Keene, Tuttle, Wells of Walpole, Burt, Kellom.

SULLIVAN COUNTY.—Clark of Acworth, Nichols, Rossiter.

GRAFTON COUNTY.—Hardy of Ashland, Webster, Chellis, Page, Stevens of Landaff, Howard of Lebanon, Hallett, Nourse, Elms, Fadden, Cotton of Warren, Sawyer.

COOS COUNTY.—Keleher, Hutchins of Berlin, Young of Colebrook, Smith of Northumberland, Nutting, Hutchins of Stratford.

The vote being insufficient under the rules, the matter was placed in unfinished business.

Mr. Stevens of Landaff, gave notice that he would on Tuesday next call for a reconsideration of the vote on the indefinite postponement.

#### UNFINISHED BUSINESS.

On motion of Mr. Lyford of Concord, the rules were suspended, and the unfinished business it being, House Bill No. 238 (In New Draft), An act enlarging the powers of the Moore's Falls Corporation, and the motion of Mr. Gagne of Somersworth to indefinitely postpone the bill, was brought before the House.

Mr. Gagne of Somersworth withdrew his motion.

The bill having been read three times, and the question being: Shall the bill pass?, the vote was in the affirmative and the bill passed and ordered to the Senate for concurrence.

## COMMITTEE REPORTS CONTINUED.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, reported the following entitled bill, House Bill No. 390, An act relating to recreation camps, with the recommendation that the bill ought to pass.

Read a first time.

Mr. Collins of Bristol moved that the bill be indefinitely postponed.

The vote was against the motion.

The bill was read a second time, tabled to be printed and taken up in its regular order.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, reported the following entitled bill, House Bill No. 389, An act empowering the City of Nashua to incur debts to the amount of six per cent. of its valuation, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Doyle of Nashua the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed, and sent to the Senate for concurrence.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred House Bill No. 225, An act to amend Section 7 of Chapter 129 of the Laws of 1917, entitled: "An act relating to municipal finances, and to amend Chapter 43, Session Laws of 1895, authorizing municipal corporations to issue bonds," reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject-matter being covered by another bill.

The report was accepted and the resolution of the committee adopted.

Mr. Winant of Concord for the Committee on Labor, to whom was referred House Bill No. 129, An act to prohibit the issuance of temporary injunctions in labor disputes, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Winant of Concord for the Committee on Labor, to whom was referred House Bill No. 163, An act in amendment of Chapter 212 of the Laws of 1913, relating to advertisements during strikes, lockouts or other labor disputes, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Harris of Orford for the Committee on Education, to whom was referred House Bill No. 364, An act in amendment of Section 8, Part 1, Chapter 85, Laws of 1921, Entitled: "An act to revise and codify the school laws of the State," reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

Mr. Sanborn of Bradford moved that the bill and report be passed at this time and put in the regular order for Tuesday next.

The vote was in the negative.

Mr. McDonnell of Manchester moved that the bill and report be laid upon the table.

The vote was in the negative.

The question being on the adoption of the resolution of the committee, the vote was in the affirmative, and the resolution adopted.

#### CHANGE OF ORDER.

On motion of Mr. Cilley of Manchester, the rules were suspended so far as to allow House Bill No. 379, An act to amend Section 20 of Chapter 133, Laws of 1915, relating to ruffed grouse, in the regular order for to-day to be brought before the House at this time, and made a part of the regular order for Tuesday next.

#### UNFINISHED BUSINESS.

On motion of Mr. Wood of Portsmouth, the rules were so far suspended as to allow House Bill No. 373, An act to

exempt from taxation the Women's Realty Co. of Portsmouth, to be withdrawn from unfinished business and made a part of the regular order for Tuesday next.

On motion of Mr. Lyford of Concord the rules were so far suspended as to allow House Bill No. 28, An act for the taxing of incomes derived from intangibles to be taken from unfinished business and made a part of the regular order for Tuesday next.

#### COMMITTEE REPORTS CONTINUED.

Mr. Harris of Orford, for the Committee on Education, reported the following Joint resolution, House Joint Resolution No. 62, Joint resolution in favor of appropriation for the purpose of additional State School Aid for the current year, with the recommendation that the Joint resolution ought to pass.

Read a first and second time.

On motion of Mr. Lyford of Concord, the rules were suspended and the printing dispensed with, the report accepted, and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 30, Joint resolution in aid of the Spanish War Veterans, reported the same with the following amendment, and the recommendation that the Joint resolution as amended ought to pass:

Amend by striking out the word "five" in line 1 and inserting in place thereof the word "three," so that said resolution, as amended, shall read as follows:

That the sum of three thousand dollars is hereby appropriated out of any money in the treasury, not otherwise appropriated, to be applied toward the expense of the 25th Anniversary of the First New Hampshire Volunteers of the Spanish War on May 17, 1923, to be held at Concord.

The report was accepted, the amendment adopted, and the Joint resolution ordered to a third reading.

On motion of Mr. Smith of Manchester, the rules were

suspended, the Joint resolution read a third time, passed and sent to the Senate for concurrence.

#### UNFINISHED BUSINESS.

On motion of Mr. Kenney of Manchester, the rules were suspended so far as to allow House Bill No. 27, An act relating to the registration of motor vehicles to be taken from unfinished business and made a part of the regular order for Tuesday next.

#### COMMITTEE REPORTS CONTINUED.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 49, Joint resolution in favor of K. R. Foster, reported the same with the following amendment, and the recommendation that the Joint resolution as amended ought to pass.

Amend by striking out all after the resolving clause and inserting in place thereof the following:

That K. R. Foster be allowed the sum of \$61.17 in full payment for damages sustained to his truck in collision with the State Prison's truck on January 24, 1922, and that the said sum shall be a charge against the maintenance fund of the State Prison.

The report was accepted, the amendment adopted, and the Joint resolution ordered to a third reading.

On motion of Mr. Lyford of Concord it was voted that the rules be so far suspended as to allow all bills and Joint resolutions favorably reported by the Committee on Appropriations to be at this time put on their third reading, by title, in the case of bills, and passage at this time.

The Joint resolution was then read a third time, passed and ordered to the Senate for concurrence.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 59, Joint resolution for repairs on State House and care of trees in yard, reported the same with the following amendment, and the recommendation that the Joint resolution as amended ought to pass.

Amend by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of three hundred dollars is hereby appropriated for the care of the trees in State House yard, and that the sum of one thousand dollars is hereby appropriated for each fiscal year, ending June 30, 1924 and ending June 30, 1925, for extraordinary repairs in the State House.

The report was accepted, the amendment adopted, and the Joint resolution ordered to a third reading.

Pursuant to the motion of Mr. Lyford, the Joint resolution was read a third time, passed, and ordered to the Senate for concurrence.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 327, An act authorizing the appointment of a State Fuel Administrator, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Pursuant to the motion of Mr. Lyford, the bill was then read a third time, passed and ordered to the Senate for concurrence.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 329, An act in amendment of Chapter 118 of the Session Laws of 1921, entitled: "An act to equalize the salaries of certain State officials and establish maximum salary limits," reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Pursuant to the motion of Mr. Lyford, the bill was then read a third time, passed and ordered to the Senate for concurrence.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 11, Joint resolution to provide for the making of topographic maps of the State of New Hampshire, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 17, An act providing for two additional justices of the superior court, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 96, An act relating to the inspection of apiaries, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 232, An act relating to inspection of creameries and milk stations and the manipulation of tests for determining composition of dairy products, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

On motion of Mr. Lyford of Concord it was voted that the rules be so far suspended as to allow the Committees on Banks and Judiciary to make unadvertised committee reports.

Pursuant to that vote, Mr. Butler of Hillsborough for the Committee on Banks, reported the following entitled bill, House Bill No. 392, An act in amendment of Chapter 73 of the Laws of 1921, An act to regulate and limit the investments of savings banks, with the recommendation that the bill ought to pass.

Read a first and second time, tabled to be printed and taken up in its regular order.



Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 2, An act in amendment of Chapter 121, Session Laws of 1921, relating to interest and usury, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject-matter being covered by another bill.

The report was accepted and the resolution of the committee adopted.

Mr. Normandin of Laconia for the Committee on Judiciary, to whom was referred House Bill No. 9, An act to establish a legal rate of interest, reported the same in new draft with the recommendation that the bill in its new draft ought to pass.

Read a first and second time, tabled to be printed and taken up in its regular order.

#### UNCOMPLETED BUSINESS.

On motion of Mr. Martin of Concord it was voted that all business in order for to-day that remains uncompleted at the end of to-day's session be placed in the same order for Tuesday next.

#### SENATE BILLS INTRODUCED.

The following Senate Bills were severally read a first and second time, and referred as follows:

To the Committee on Judiciary:

Senate Bill No. 7 (In House New Draft, In Senate New Draft), An act in relation to the foreclosure of power of sale mortgages of real estate.

To the Committee on Fish and Game:

Senate Bill No. 28, An act in amendment of the Fish and Game Laws, relating to the taking and possession of pickerel.

To the Committee on Judiciary:

Senate Bill No. 35, An act to establish water-works in the Town of Hooksett or any village districts thereof.

Mr. Gagne of Somersworth moved that when the House adjourns to-day it be to meet to-morrow at 9.30, and that when it then adjourns it be to meet Monday at 7.30. The vote was in the affirmative.

On motion of Mr. Sibley of Manchester at 2.40 the House adjourned.

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FRIDAY, APRIL 20, 1923.

The House met at 9.30.

On motion of Mr. Preston of Strafford at 9.31 the House adjourned.

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MONDAY, APRIL 23, 1923.

The House met at 7.30.

The following House Bills were introduced by the Committee on Appropriations, under a suspension of the rules:

House Bill No. 397, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1924.

House Bill No. 398, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1925.

On motion of Mr. Hoyt of Sandwich, the rules were suspended, the bills read a first and second time by title, tabled to be printed, and taken up in the regular order.

On motion of Mr. Gardner of Springfield at 7.31 the House adjourned.

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TUESDAY, APRIL 24, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

LEAVES OF ABSENCE.

Messrs. Hickey of Wilton and Burns of Manchester, were granted leave of absence for the day on account of Jury duty.

Messrs. Houle of Littleton, Spaulding of Goffstown, Hopkins of Keene, Wright of Sanbornton, Jewett of Laconia, Seavey of Wilmot, and Bilodeau of Nashua, were granted leave of absence for the day on account of business.

Messrs. Sims of Columbia, Steward of Northwood, Harris of Orford, Pierce of Claremont, and Dowdell of Portsmouth, were granted leave of absence for the week on account of business.

Mr. Mortenson of Gorham, was granted leave of absence for the week on account of illness.

Mr. Bemis of Harrisville, was granted leave of absence for the day on account of illness.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 368, An act to amend the Primary and Election Laws.

The message further announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 85, An act to regulate the use of the waters in Silver Lake in Madison.

House Bill No. 93 (In New Draft), An act relating to the selection of selectmen in towns.

House Bill No. 195 (In New Title and New Draft), An act declaring every child to be the legitimate child of its natural parents, making such child an heir of such parents, and providing the procedure for establishing parentage, and in addition to Chapter 87 of the Public Statutes.

House Bill No. 220, An act relating to voting on removal of voter.

House Bill No. 269, An act in amendment of Sub-section 6 of Section 7 of Chapter 55 of the Public Statutes, relating to the taxation of stock in trade.

House Bill No. 310, An act in amendment of Section 13, Chapter 128, Laws of 1909, as amended by Chapter 166, Laws of 1911, as amended by Chapter 142, Laws of 1915, relating to the burning of brush by permit.

House Bill No. 312, An act in amendment of Section 1 of Chapter 95, Laws of 1911, as amended by Chapter 159, Laws of 1917, relating to the use of spark arresters on portable sawmills.

House Bill No. 332, An act to provide that the Fire Commissioners of the City of Manchester be elected by the people.

House Bill No. 343, An act to provide that the Park Commissioners of the City of Manchester be elected by the people.

House Bill No. 338, An act to provide that the Highway Commissioners of the City of Manchester be elected by the people.

House Bill No. 345, An act relating to shade trees in highways and other public places.

The message further announced that the Senate has passed the following bill in the passage of which it asks the concurrence of the House of Representatives:

House Bill No. 166 (In Senate New Draft), An act in relation to the construction of curbing along the streets in the City of Manchester.

#### RESOLUTION.

Mr. Davison of Haverhill, presented the following resolution, which was adopted:

*Whereas*, It appears that all necessary legislative work may be easily accomplished by Friday, April 27, proximo, therefore be it

*Resolved*, by the House of Representatives, the Senate concurring, that the present session of the legislature be brought to final adjournment on Friday, April 27, proximo, at five o'clock in the afternoon, and be it further

*Resolved*, That all reports, bills and joint resolutions pending at that time in either branch of the legislature be indefinitely postponed.

## RESOLUTION TAKEN FROM TABLE.

On motion of Mr. Lyford of Concord the rules were suspended and House Joint Resolution No. 25, Joint resolution in favor of the City of Concord, taken from the table.

On motion of Mr. Lyford of Concord, it was voted to adopt the resolution of the Committee, inexpedient to legislate.

## BILL INTRODUCED.

On motion of Mr. Price of Lisbon, the rules were so far suspended, as to allow the introduction of an unadvertised Committee Report.

Pursuant thereto, Mr. Price of Lisbon, for the Committee on Revision of Statutes, reported the following entitled bill, House Bill No. 394, An act in amendment of Paragraph nine of Section 1 of Chapter 83 of the Public Statutes, relating to Paupers, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Lee of Concord the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

## PERSONAL PRIVILEGE.

Mr. Stevens of Landaff rose and spoke on a question of personal privilege, it being certain misstatements in the Concord *Monitor*.

## BILLS INTRODUCED.

On motion of Mr. Lyford of Concord the rules were so far suspended as to allow the introduction of certain unadvertised Committee Reports.

Pursuant thereto, Mr. Jacobs of Lancaster for the Committee on Judiciary, reported the following entitled bill, House Bill No. 395, An act in amendment of Section 1, Chapter 93, Laws of 1919, requiring annual returns of cor-

porations, with the recommendation that the bill ought to pass.

Read a first and second time, by title on motion of Mr. Martin of Concord, under a suspension of the rules.

On motion of Mr. Aiken of Franklin the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

Mr. Lyford of Concord, for the Committee on Judiciary, reported the following entitled bill, House Bill No. 396, An act to authorize the School District of the Town of Newmarket to exceed its limit of bonded indebtedness as fixed by Chapter 129, Laws of 1917, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Martin of Concord, the rules were suspended, the printing of the bill dispensed with, and the bill ordered to a third reading. On motion of the same gentleman, the rules were further suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

#### COMMITTEE REPORTS.

Mr. Davison of Haverhill, for the Committee on Judiciary to whom was referred Senate Bill No. 34 (In New Draft and New Title), An act to prohibit the sale and manufacture of inflammable stove polishes, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Martin of Concord, the rules were suspended, the bill read a third time by its title, passed and sent to the Secretary of State to be engrossed.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 58, Joint resolution providing money for the completion of the highway from the Profile House in the Town of Fran-

conia to the Waterford Bridge on the Connecticut River, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 46, Joint resolution for improvements at New Hampshire State Sanatorium, reported the same with the recommendation that the Joint resolution ought to pass:

The report was accepted.

On motion of Mr. Lyford of Concord, it was voted that the rules be suspended, and that all bills and Joint resolutions favorably reported from the Committee on Appropriations be at once placed upon their third reading, by title in the case of bills, and passage.

The Joint resolution was then read a third time, passed and ordered to the Senate for concurrence.

Mr. Lord of Manchester, for the Committee on Appropriations, reported the following House Joint Resolution. No. 67, Joint resolution for the repair of the Webster Birthplace in Franklin, with the recommendation that the Joint resolution ought to pass.

Read a first and second time.

On motion of Mr. Aiken of Franklin, the rules were further suspended, the printing of the Joint resolution dispensed with, and the Joint resolution ordered to a third reading.

On motion of the same gentleman the rules were further suspended, the Joint resolution read a third time, passed and sent to the Senate for concurrence.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 12, Joint resolution for the repair of the Sandwich Notch road in the Town of Thornton, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 14, Joint resolution for the permanent construction of the highway in the Town of Jefferson, leading from the Carroll Town Line to the Gorham Hill road near Bowman's, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 16, Joint resolution for the repair and improvement of highways in the Town of Brookfield, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted, the Joint resolution read a third time, passed and ordered to the Senate for concurrence.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 18, Joint resolution in favor of repairing Sugar Loaf road in the Town of Alexandria, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted, the Joint resolution read a third time, passed, and ordered to the Senate for concurrence.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 20, Joint resolution for the improvement of highway in the Town of Bethlehem leading from the Littleton Town Line to the Whitefield Town Line by the way of Wing Road, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 31, Joint resolution for the improvement of the main road in the Town of Tamworth from Whittier to Chocorua, reported the same with the recommendation that the Joint resolution ought to pass.



The report was accepted, the Joint resolution read a third time, passed, and ordered to the Senate for concurrence.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 33, Joint resolution for the improvement of the highway in the Town of Mason, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 35, Joint resolution for the repair of the highway leading from Dorchester to Lyme, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted, the Joint resolution read a third time, passed, and ordered to the Senate for concurrence.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 36, Joint resolution for the treatment of persons afflicted with tuberculosis, particularly in the advanced stages, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, the subject matter being provided for in the budget bill.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 37, Joint resolution appropriating money for improvement and maintenance of state highway leading from Little Diamond Pond in the Town of Stewartstown to the town line of the Town of Colebrook, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution

No. 39, Joint resolution in favor of the Rocky Pond road in the City of Concord and Towns of Loudon, Canterbury, Gilmanton and Belmont, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 45, Joint resolution for the improvement of a highway leading from Freedom to East Madison, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted, the Joint resolution read a third time, passed and ordered to the Senate for concurrence.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 50, Joint resolution to provide for a water supply and for improvement of land at the State forest nursery, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted, the Joint resolution read a third time, passed and ordered to the Senate for concurrence.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 53, Joint resolution for the improvement of the main road leading from Effingham Falls to South Effingham, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted, the Joint resolution read a third time, passed and ordered to the Senate for concurrence.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 65, An act to establish a continuous trunk line highway from the Vermont State line at North Walpole to the West Side Road in Lebanon, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 68, An act to establish a continuous highway from the West Side Road in the Town of Carroll to Gorham Hill Road in the Town of Randolph, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 80, An act to establish a continuous highway from the junction of the Hudson-Derry Road in the Town of Hudson to the Massachusetts line at Tyngsboro, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 103, An act to establish a continuous highway from Taylor Falls' Bridge in Hudson, to the Rockingham Road in Salem, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 122, An act providing for the extension of the east side road in the Town of Seabrook, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 199, An act providing for the designation and construction of a state highway from the Daniel Webster highway in Laconia, to

the Suncook Valley Trunk Line in Pittsfield, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 283, An act in amendment of Chapter 224 of the Session Laws of 1917, entitled "An act to establish an additional system of cross-state highways," reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 313, An act providing for the laying out of a continuous State Highway leading from Loudon Village, to Lower Gilmanton, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 315, An act to establish a continuous highway from the south side road at Auburn, to the Massachusetts State Line at Haverhill, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 324, An act to establish a continuous highway from the East Side Road at Gorham to the State Line at Gilead, Maine, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 339, An act to establish a highway from the Daniel Webster Highway leading from New Hampton Village to Meredith, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 99, An act to establish a continuous highway from the Lake Sunapee Road at Bristol to the Daniel Webster Highway at Meredith, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Appropriations, to whom was referred House Bill No. 99, An act to establish a continuous highway from the Lake Sunapee Road at Bristol, to the Daniel Webster Highway at Meredith, being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

CHARLES N. ROBERTS.

Mr. Gordon of New Hampton, moved that the report of the minority be substituted for that of the majority, and that the bill and two reports and the motion pending be made a part of the regular order for tomorrow.

The vote was in the affirmative.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 211, An act to authorize the improvement of water powers in this State by the construction and management of storage reservoirs, reported the same with the recommendation that the bill ought to pass.

The undersigned, a minority of the Committee on Appropriations, to whom was referred House Bill No. 211, An act to authorize the improvement of water powers in this State by the construction and management of storage reservoirs,

and being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

MILAN A. DICKINSON,  
CHARLES N. ROBERTS,  
J. B. MURDOCK.

Mr. Roberts of Meredith moved to substitute the report of the minority for that of the majority.

(Discussion ensued.)

Mr. Tobin of Manchester moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being on the substitution, Mr. Hoyt of Sandwich called for a division.

A division was had with the following result:

For the substitution: 131; against the substitution: 179.

The report of the majority was accepted.

On motion of Mr. Barry of Manchester the rules were suspended, the bill was read a third time by its title, passed and sent to the Senate for concurrence.

On motion of Mr. Lyford of Concord the House took a recess of one hour.

(After recess.)

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has passed the following entitled bill in the passage of which it asks the concurrence of the House of Representatives: Senate Bill No. 38, An act in reference to Lyman Bridge in the Town of Munroe.

#### COMMITTEE REPORTS.

Mr. Duncan of Jaffrey for the Sub-committee of the Committee on Ways and Means, appointed pursuant to a resolution of January 24, for the investigation of the Highway Department, filed the committee's report, which it was voted to have separately printed.

Mrs. Bartlett of Raymond, for the Committee on Public Health, reported the following entitled bill, House Bill No. 393, An act relating to marriage and public health, with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. Martin of Concord, it was voted that the bill be laid on the table.

#### REGULAR ORDER.

The following House Bills, having been printed and distributed, were taken up.

House Bill No. 397, An act making appropriations from the expenses of the State of New Hampshire for the year ending June 30, 1924.

Mr. Lord of Manchester, offered the following amendment which was adopted:

Amend the Budget bill by inserting in line 92, of the printed bill after the word "fund", the words "and any other revenue from State or federal sources allotted for educational purposes"; and further amend by inserting in line 101, of the printed bill, after the figures "\$115,000", the words "and such revenue as is derived from the normal schools."

Mr. Kenney of Manchester, offered the following amendments, which were rejected:

Amend the bill by striking out in line 145, of the printed bill the words: "for diseases of animals, \$85,000.00."

Amend the bill by striking out in lines 146, and 147, of the printed bill the words: "for Granite State Dairymen's Association, \$1,000.00."

Amend the bill by striking out in lines 148-149, the words: "for New Hampshire Horticultural Society, \$2,500.00."

Amend the bill by striking out in line 149, of the printed bill the words: "for bureau of Markets, \$5,000.00."

Mr. Ball of Surry offered the following amendment which was rejected:

Amend the bill by striking out in line 100 of the printed

bill the figures "\$325,000.00" and substituting therefor the figures "\$350,000.00."

Mr. Smith of Manchester offered the following amendment which was rejected:

Amend the bill by adding at the end of line 123 the words: "for the New Hampshire Branch of the American Federation of Labor, \$2,500.00."

On motion of Mr. Lyford of Concord, the rules were suspended, the bill read a third time by title, passed, and ordered to the Senate for concurrence.

House Bill No. 398, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1925.

Mr. Lord of Manchester offered the following amendment which was adopted:

Amend the Budget Bill by inserting in line 92 of the printed bill after the word "fund" the words: "and any other revenue from State or federal sources allotted for educational purpose"; and further amend by inserting in line 101 of the printed bill, after the figures "\$115,000" the words: "and such revenue as is derived from the normal schools".

On motion of Mr. Lyford of Concord the rules were suspended, the bill read a third time by title, passed, and ordered to the Senate for concurrence.

#### CHANGE OF ORDER.

On motion of Mr. Lyford of Concord it was voted that House Bill No. 28, An act for the taxing of incomes derived from intangibles, the motion of Mr. Wright of Sanbornton to indefinitely postpone and Mr. Sibley's call for a division, be made a part of the regular order for tomorrow.

#### COMMITTEE REPORTS CONTINUED.

Mr. Winant of Concord, for the Committee on Labor, to whom was referred House Bill No. 151, An act relating to contracts for labor, reported the same with the recommendation that the bill ought to pass.



The report was accepted, and the bill ordered to a third reading.

Mr. Davis of Stoddard, for the Committee on Claims, reported the following House Joint Resolution No. 64, Joint resolution in favor of Burt J. Carleton of Concord, with the recommendation that the Joint resolution ought to pass.

Read a first and second time.

On motion of Mr. Lyford of Concord, the rules were suspended, the printing dispensed with, and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Davis of Stoddard, for the Committee on Claims, reported the following House Joint Resolution No. 63, a Joint resolution in favor of George W. Fadden, with the recommendation that the Joint resolution ought to pass.

Read a first and second time.

On motion of Mr. Lyford of Concord, the rules were suspended, the printing dispensed with, and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Davis of Stoddard, for the Committee on Claims, reported the following House Joint Resolution No. 65, Joint resolution in favor of Charles H. Chandler, with the recommendation that the Joint resolution ought to pass.

Read a first and second time.

On motion of Mr. Lyford of Concord, the rules were suspended, the printing dispensed with, and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Davis of Stoddard, for the Committee on Claims, reported the following House Joint Resolution No. 66, Joint resolution in favor of Clarence G. Govè, with the recommendation that the Joint resolution ought to pass.

Read a first and second time.

On motion of Mr. Lyford of Concord, the rules were suspended, the printing dispensed with, and the Joint resolution referred to the Committee on Appropriations under the rules.

## CHANGES OF ORDER.

On motion of Mr. Wood of Portsmouth, House Bill No. 373, An act to exempt from taxation the Woman's Realty Co., of Portsmouth, which was passed, and the motion of Mr. Cronin of Portsmouth, to reconsider vote of passage, in the regular order of today was taken up and made a part of the regular order of tomorrow.

On motion of Mr. Lyford of Concord, House Bill No. 382, An act in amendment of Chapter 147, Laws of 1915, relating to temporary absence of patients from the State Hospital, on second reading, in the regular order of today was taken up and recommitted to the Committee on Judiciary.

On motion of Mr. Lyford of Concord, House Bill No. 216 An act in relation to distribution of railroad taxes, majority report, ought to pass with amendment, minority report, inexpedient to legislate, and motion of Mr. Wood of Portsmouth, to substitute, in the regular order of today was taken up and made a part of the regular order for tomorrow.

On motion of Mr. Hoyt of Sandwich, House Bill No. 379, An act to amend Section 20 (a) of Chapter 133, Laws of 1915, relating to ruffed grouse, on its second reading, in the regular order of to-day was taken up and made a part of the regular order for to-morrow.

## REGULAR ORDER.

The following bills having been printed and distributed were taken up:

House Bill No. 384, An act in amendment of Section 2, Chapter 116, Laws of 1913, relating to caboose cars.

On motion of Mr. Lyford of Concord the rules were suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

House Bill No. 355 (New Draft and Title), An act for the conservation of the forests.

Mr. Collins of Bristol offered the following amendment which was adopted: Amend Section 1 of the bill by striking out in the first line the word "averaging."

The amendment was adopted.

On motion of Mr. Hoyt of Sandwich the bill was indefinitely postponed.

#### CHANGE OF ORDER.

On motion of Mr. Wood of Portsmouth, House Bill No. 27 (New Draft), An act relating to the registration of motor vehicles, the motion of Mr. Hoyt of Francestown, to indefinitely postpone, and his call for a division, in the regular order for to-day was taken up and made a part of the regular order for to-morrow.

#### REGULAR ORDER.

House Bill No. 392, An act in amendment of Chapter 73, Laws of 1921, "An act to regulate and limit the investments of savings banks," having been printed and distributed was taken up.

On motion of Mr. Lyford of Concord the rules were suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

#### CHANGE OF ORDER.

On motion of Mr. Wood of Portsmouth, House Bill No. 381, An act relative to the disposal of highway funds, on second reading in the regular order of today, was taken up and made a part of the regular order for tomorrow.

#### REGULAR ORDER.

House Bill No. 385, An act relating to the New Hampshire College of Agriculture and the Mechanic Arts and establishing the University of New Hampshire, on second reading, was taken up.

On motion of Mr. Lyford of Concord, the rules were suspended, the bill read a third time by its title, passed, and sent to the Senate for concurrence.

House Bill No. 390, An act relating to recreation camps, on second reading, was taken up.

Mr. Rudd of Franconia, offered the following amendment: Amend the bill by striking out in line 11, Section 1

of the printed bill, the words "twenty-five dollars (\$25.00)" and substituting therefor the words "five dollars (\$5.00)."

On motion of Mr. Smith of Manchester, the bill with the proposed amendment pending was placed in the regular order for tomorrow.

#### CHANGE OF ORDER.

On motion of Mr. Lyford of Concord, House Bill No. 383, An act in amendment of Section 5, Chapter 55, Laws of 1919, as amended by Section 3, Chapter 120, Laws of 1921, relating to permit fees on motor vehicles, and House Bill No. 9 (New Draft), An act to establish a legal rate of interest, on second reading, in the regular order of today, were taken up and made a part of the regular order for tomorrow.

#### SENATE BILL CONSIDERED.

The following Senate Bill was read a first and second time: Senate Bill No. 38, An act in reference to Lyman Bridge in the Town of Monroe.

On motion of the same gentleman the rules were suspended, the bill read a third time by its title, passed, and sent to the Secretary of State to be engrossed.

The following House Bill (In Senate New Draft), was read a first and second time:

House Bill No. 166 (In Senate New Draft), An act in relation to the construction of curbing along the streets in the City of Manchester.

On motion of Mr. Kenney of Manchester the rules were suspended, the bill read a third time by its title, passed, and sent to the Secretary of State to be engrossed.

On motion of Mr. Stevens of Landaff at 2.59 the House adjourned from the morning session.

#### AFTERNOON.

The House meet at 3 o'clock.

The following bills were severally read a third time by title, under a suspension of the rules, on motion of Mr.

Lyford of Concord, passed, and ordered to the Senate for concurrence:

House Bill No. 79, An act in amendment of Section 7 of Chapter 58 of the Laws of 1915, entitled: An act creating a board of bank commissioners and abolishing the office of State Auditor.

House Bill No. 163, An act in amendment of Chapter 212 of the Laws of 1913, relating to advertisements during strikes, lockouts or other labor disputes.

House Bill No. 241 (In New Draft), An act relating to the regulation of building and the location of trades and industries in cities and towns.

On motion of Mr. Martin, it was voted that House Bill No. 182, An act in amendment of Chapter 31 of the Public Statutes, as amended by Chapter 52 of the Laws of 1899, Chapter 179 of the Laws of 1911, and Chapter 3 of the Special Session Laws of 1919, in relation to the rights and qualifications of voters, be passed at this time and put on its third reading tomorrow.

The following Senate Bill was read a third time, passed, and ordered to the Secretary of State to be engrossed:

Senate Bill No. 33, An act relative to the official bond of the treasurer of counties.

On motion of Mr. Newton of Concord, Senate Bill No. 32, An act to provide safety exit facilities for school houses, was put back on its second reading.

Mr. Newton of Concord, offered the following amendment which was adopted:

Amend the bill by striking out in Section 1 the words "night latch attachments" and inserting in place thereof after the word "bolts" in the same line the words "except to hold one half of a double door" so that said section, as amended, shall read as follows:

SECTION 1. Authorities in charge of all buildings used for school purposes of two or more rooms or where fifty or more pupils may be in attendance, shall, upon the passage of this act, equip, or cause to be equipped, at least one outside door regularly used as an exit, with key locks that can

be locked on the outside only, but that can always be easily opened on the inside by simply turning the knob or pressing the release bar. The use of bolts, except to hold one half of a double door, hooks, thumb knobs, or other locking devices upon such outside doors shall be prohibited.

The bill was then read a third time, passed, and ordered to the Senate for concurrence in the amendment.

On motion of Mr. Hutchins of Berlin, at 4.48 the House adjourned.

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WEDNESDAY, APRIL 25, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk, announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 348, An act to amend the charter of the Concord Masonic Association.

The message further announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 293, An act relating to the issue of bonds by the Town of Hooksett.

LEAVES OF ABSENCE.

Messrs. Barry of Manchester, Seavey of Wilmot, Reed of Keene, Boilard of Nashua were granted leave of absence for the day on account of business.

Messrs. Spaulding of Goffstown, Bluitte of Lempster, Durnin of Dover, Kelly of Manchester, Ward 4, were granted leave of absence for the week on account of business.

Messrs. Bartlett of Kingston, Lamy of Manchester were granted leave of absence for the week on account of death in family.

Mr. Roberts of Dover, was granted leave of absence for the day on account of death in family.

#### COMMITTEE REPORT.

Mr. Colby of Plainfield, for the Committee on Engrossed Bills, reported that the committee has examined and found correctly engrossed the following entitled bills:

House Bill No. 141, An act in amendment of subdivision (b), Section 28, Chapter 133, Laws of 1915, relating to fish and game.

House Bill No. 299, An act relating to Antwerp or homing pigeons.

House Bill No. 302 (In New Draft), An act to regulate the shipment of live stock.

House Bill No. 306 (In New Draft), An act enabling the Town of Ossipee to exempt from taxation certain property in that town to be used for hotel purposes.

House Bill No. 314, An act in amendment of Section 2, Chapter 120, Laws of 1909, relating to sentence to the state prison.

House Bill No. 322, An act to amend paragraph (a), Section 16, Chapter 13, Laws of 1915, as amended by Section 11, Chapter 152, Laws of 1919, relating to gray squirrels.

House Bill No. 356, An act relating to the issue of bonds by the school district of the Town of Salem.

House Bill No. 363, An act in amendment of the charter of the City of Somersworth.

House Bill No. 365, An act to legalize certain acts of the Bethlehem Village Precinct and to authorize the precinct to issue bonds to refund outstanding water bonds.

House Bill No. 368, An act to amend the primary and election laws.

The report was accepted.

#### UNFINISHED BUSINESS.

Mr. Hoyt of Sandwich, moved that the rules be so far suspended, as to allow House Bill No. 359, An act in relation to standard time, to be taken from unfinished business, and

brought before the House, the question being on the motion of Mr. Wood of Portsmouth, to indefinitely postpone and the call of Mr. Barry of Nashua for a division on that motion.

The vote was in favor of the suspension.

The division was had with the following result:

For postponement, 105; against postponement, 206.

On motion of Mr. Hoyt of Sandwich, the rules were suspended and the bill put on its third reading and passage.

The bill was then read a third time.

The question being: Shall the bill pass?

(Discussion ensued.)

Mr. Cloutman of Dover moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being: Shall the bill pass? Mr. Gagne of Somersworth called for a division.

A division was had with the following result:

For passage: 210; against passage: 81.

The bill passed and was ordered to the Senate for concurrence.

#### COMMITTEE REPORT.

Mr. Doyle of Nashua for the Committee on Revision of Statutes, to whom was referred House Bill No. 40, An act in amendment of Chapter 251, Section 1 of the Public Statutes relating to search warrants, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 1 by striking out all of lines 4 to 10 inclusive, and insert in place thereof the following:

“SECTION 1. A justice of a municipal court or a trial justice of any town or a justice in any town where there is not an established municipal court or trial justice, must issue all search warrants for searching in any dwelling houses, place of business or other buildings therein described in the daytime or nighttime upon a complaint under oath and satisfactory evidence in support thereof that a person liable to arrest for a crime is concealed therein, or that any



gambling is carried on therein, or that any property or thing of the following kinds are kept or concealed therein”:

Further amend Section 1 by striking out the last paragraph and inserting in place thereof the following:

“All search warrants must be served on the defendant.”

Mr. Martin moved that the bill be indefinitely postponed, and on that motion discussion ensued.

Mr. Tobey of Temple moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being on the motion to indefinitely postpone, the vote was in the affirmative and the bill was indefinitely postponed.

Mr. Doyle of Nashua, for the Committee on Revision of Statutes, reported the following entitled bill, House Bill No. 399, An act in amendment of Section 1, Chapter 30, Laws of 1915, relating to municipal courts, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Doyle of Nashua, the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed, and sent to the Senate for concurrence.

Mr. Martin of Concord, for the Committee on Judiciary, reported the following entitled bill, House Bill No. 400, An act authorizing the Town of Alton to vote to exempt from local taxes a proposed dam on Merrymeeting River, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Jewett of Laconia, the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed, and sent to the Senate for concurrence.

On motion of Mr. Doyle of Nashua the vote whereby

House Bill No. 399 was passed was reconsidered and the bill again placed upon its second reading.

Mr. Doyle of Nashua offered the following amendment which was adopted:

Amend the bill by inserting after the words "three hundred and fifty dollars" in the sixth and twenty-ninth line the word "annually."

The bill was then ordered to a third reading. On motion of Mr. Doyle of Nashua the rules were suspended, the bill read a third time by its title, passed, and sent to the Senate for concurrence.

#### MOTION FOR ADJOURNMENT OVER FAST DAY.

On motion of Mr. Martin of Concord it was voted that when the House adjourns to-day it be to meet on Friday at 9.30, and that the adjournment from that session be until Monday next at 7.30.

#### COMMITTEE REPORTS CONTINUED.

Mr. Martin of Concord for the Committee on Judiciary, to whom was referred Senate Bill No. 7 (In House New Draft, in Senate New Draft), An act in relation to the foreclosure of power of sale mortgages of real estate, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Lyford of Concord the rules were suspended, the bill read a third time by its title, passed, and sent to the Secretary of State to be engrossed.

#### BILL TAKEN FROM THE TABLE.

On motion of Mr. Martin of Concord, the rules were suspended, and House Bill No. 46, An act in amendment of Section 1, Chapter 87 of the Public Statutes, in relation to the maintenance of Bastard children was taken from the table and placed in the regular order for today.

On motion of Mr. Lyford of Concord, the rules were so

far suspended as to allow the introduction of two unadvertised committee reports by the Committee on Judiciary.

On motion of Mr. Lyford of Concord, the House took a recess for 1 hour.

(After recess.)

#### COMMITTEE REPORTS CONTINUED.

Mr. Duncan of Jaffrey, for the Committee on Ways and Means, to whom was referred Senate Bill No. 10, An act in amendment of Chapter 56 of the Public Statutes, as amended by Chapter 12 of the Laws of 1921, relating to the exemption from taxation of veterans of the War of the Rebellion, the Spanish-American War, the Philippine Insurrection, the World War, and their wives and widows, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Senate Bill No. 10, by striking out all after the enacting clause and inserting in place thereof the following:

SECTION 1. Amend Section 2, Chapter 56 of the Public Statutes, as amended by Section 1, Chapter 12, Laws of 1921, by inserting after the word "Insurrection" in lines 4 and 10, the words "or of the world war or of any other wars in which the United States has been engaged" so that said section, as amended, shall read as follows:

SECT. 2. Any soldier, sailor or marine of the war of the Rebellion or of the Spanish-American War or of the Philippine Insurrection or of the World War or of any other wars in which the United States has been engaged, who shall present to the selectmen or assessors of the town in which he lives, for inspection and record, his pension certificate awarding to such soldier, sailor or marine an invalid pension of any amount, or an honorable discharge of such soldier, sailor or marine from the service of the United States in said Rebellion or said Spanish-American War or said Philippine Insurrection, or said World War or any other wars in which the United States has been engaged, shall thereafter be exempt from levy of poll tax.

SECT. 2. Amend Section 4, Chapter 56 of the Public

Statutes, as amended by Section 2, Chapter 12, Laws of 1921, as amended by Section 1, Chapter 103, Laws of 1921, by inserting in line 10 after the figures "1918" the words "or of any other wars in which the United States has been engaged"; further amend by inserting in line 15 after the word "Insurrection" the words "or of the World War or of any other war in which the United States has been engaged" so that said section, as amended, shall read as follows:

SECT. 4. The selectmen of towns and the assessors of cities in their discretion may exempt any other soldier, sailor or marine who served in the War of the Rebellion, or the Spanish-American War, or the Philippine Insurrection, or the World War prior to November 12, 1918, or of any other wars in which the United States has been engaged, and is disabled in consequence of such service, from paying a poll tax, and every soldier, sailor or marine residing in New Hampshire who served for thirty days or more in the army of the United States during the War of the Rebellion or the Spanish-American War or the Philippine Insurrection or the World War or of any other wars in which the United States has been engaged, and received an honorable discharge from that service, and the wife or widow of any such soldier, sailor or marine in consideration or recognition of such service, shall be exempt each year from taxation upon his taxable property to the value of one thousand dollars; provided, such soldier, sailor or marine and his wife, if any, shall not own property to the value of five thousand dollars or more.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

On motion of Mr. Stevens of Landaff, the rules were suspended, the bill read a third time by its title, passed, and sent to the Senate for concurrence in the amendment.

Mr. Duncan of Jaffrey, for the Committee on Ways and Means, reported the following entitled bill, House Bill No. 402, An act in amendment of Section 6, Chapter 103, Laws of 1915, relating to the report of the highway commissioner, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Lyford of Concord, the rules were suspended, the printing of the bill dispensed with, and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed, and sent to the Senate for concurrence.

Mr. Duncan of Jaffrey, for the Committee on Ways and Means, to whom was referred House Bill No. 273, An act relating to poll tax of soldiers' widows, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Duncan of Jaffrey, the rules were suspended, the bill read a third time by its title, passed, and sent to the Senate for concurrence.

Mr. Duncan of Jaffrey for the Committee on Ways and Means, reported the following Joint Resolution, House Joint Resolution No. 68, Joint resolution to assist the cities of Portsmouth and Dover in celebrating the Three Hundredth Anniversary of the first settlement of the State, with the recommendation that the Joint resolution ought to pass.

Read a first and second time.

On motion of Mr. Fernald of Dover the rules were suspended, the printing dispensed with, and the Joint resolution referred to the Committee on Appropriations under the rules.

Mr. Duncan of Jaffrey for the Committee on Ways and Means, to whom was referred House Bill No. 231, An act in amendment of Section 1 of Chapter 41 of the Laws of 1921, relating to the exemption from taxation of the property of educational, charitable, religious and other societies and institutions, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. Lyford of Concord the rules were suspended, the bill read a third time by its title, passed, and sent to the Senate for concurrence.

On motion of Mr. Lyford of Concord it was voted that the rules be so far suspended as to allow bills and Joint resolutions favorably reported by the Committee on Appropriations to be put on their third reading, by title, in the care of bills, and passage as soon as the matters are brought before the House.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 48, Joint resolution in favor of the New Hampshire State Prison, reported the same with the following amendment, and the recommendation that the Joint resolution as amended ought to pass.

Amend said Joint resolution by striking out the words "for building addition to the steward's quarters in order to provide more room for the identification bureau, twenty-five hundred dollars (\$2500);" so that said Joint resolution as amended shall read:

That the following amounts be and hereby are appropriated for the New Hampshire State Prison: For repairing north wall of prison, five hundred dollars (\$500); for repairing gates, one thousand dollars (\$1,000); said amounts to be expended by the trustees of the New Hampshire State Prison and the Governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

The report was accepted, and the amendment adopted. Pursuant to the motion of Mr. Lyford the Joint resolution was read a third time, passed, and ordered to the Senate for concurrence.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 55, Joint resolution providing for the making of improvements, purchase of property and necessary repairs upon the buildings and grounds of the New Hampshire Veterans' Association at the Weirs for the fiscal years 1923-24 and 1924-25, reported the same with the following amendment, and the recommendation that the Joint resolution as amended ought to pass.

Amend said Joint resolution by striking out the word "five" in lines 1 and 6, and inserting in place thereof the word "three"; further amend by striking out the words "purchase of property" in line 4, so that said Joint resolution as amended shall read:

That the sum of three thousand dollars be and hereby is appropriated for the fiscal year ending June 30, 1924, and the same amount for the fiscal year ending June 30, 1925, for the purpose of making improvements, and necessary repairs upon and in addition to the buildings and grounds of the New Hampshire Veterans' Association at the Weirs, said appropriation of three thousand dollars for each of the fiscal years named above to be expended by an agent appointed by the Governor and Council, and the Governor is authorized to draw his warrant for the payment of such sums out of any money in the treasury not otherwise appropriated.

The report was accepted and the amendment adopted.

The Joint resolution was then read a third time pursuant to the motion of Mr. Lyford, passed, and ordered to the Senate for concurrence.

Pursuant to the vote taken before recess, the following two unadvertised reports from the Committee on Judiciary were presented.

Mr. Martin of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 382, An act in amendment of Chapter 147, Laws of 1915, relating to temporary absences of patients from the State Hospital, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out the whole of Section 3 of said bill, and by renumbering Section 4 thereof Section 3.

The report was accepted and the amendment adopted.

On motion of Mr. Winslow of Nashua, the rules were suspended, the bill read a third time by its title, passed, and sent to the Senate for concurrence.

Mr. Lyford of Concord for the Committee on Judiciary, reported the following entitled Bill: House Bill No. 401,

An act authorizing the School District of the Town of Epping to borrow money in excess of the limit prescribed by law, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Lyford of Concord the rules were suspended, the printing dispensed with, and the bill ordered to a third reading.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 230, An act to provide additional accommodations at the New Hampshire State Hospital, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend Section 1 by striking out the words: "and also to provide suitable quarters for male attendants" in lines 3 and 4; further amend by striking out the words: "five hundred thirty-three" in line 4 and inserting in place thereof the words "four hundred"; further amend by striking out the words: "at an expense of not exceeding four hundred thousand dollars, and for the erection of a male attendants' home or building and securing therefor the necessary furnishings, heating, lighting and plumbing, water facilities and fire protection, at an expense of not exceeding one hundred thirty-three thousand dollars" in lines 8, 9, 10, 11, 12 and 13; further amend by striking out the word "sums" in line 14 and inserting in place thereof the word "sum"; further amend by striking out the words: "five hundred thirty-three" in line 17 and inserting in place thereof the words "four hundred"; so that said section as amended shall read:

SECTION 1. That, to provide additional accommodations for the care, control and treatment of insane persons and especially for disturbed and excited female patients, the sum of four hundred thousand dollars be and hereby is raised and appropriated for the purpose of the erection of a building for disturbed and excited female patients and securing therefor the necessary furnishings, heating, lighting, plumbing, water facilities and fire protection, in accordance with plans and specifications to be approved by the Governor and



Council; said sum to be expended under the direction of the trustees of said institutions, subject to the supervision of the Governor and Council, and any balance of said sum of four hundred thousand dollars or the proceeds of the bonds hereinafter provided for not required for the purposes above specified may be used for any other necessary addition to or change of existing buildings of said hospital which may be approved by the Governor and Council and to be in accordance with plans and specifications also to be approved by the Governor and Council.

Amend Section 2 by striking out the words "five hundred thirty-three" in line 6 and inserting in place thereof the words "four hundred", so that said section as amended shall read:

SECT. 2. The Governor, with the advice and consent of the Council, is hereby authorized to draw his warrant on any money in the treasury not otherwise appropriated, and the State Treasurer is hereby authorized under the direction of the Governor and Council, to borrow, upon the credit of the State, such further sums or the whole (not exceeding in all four hundred thousand dollars), as may be necessary, to carry out the provisions of this act, and, for that purpose, may issue bonds or notes in the name and on behalf of the State, at the lowest rate of interest obtainable, in such form and in such denominations, and at such time or times as the Governor and Council may determine. Such bonds shall be designated "New Hampshire State Hospital bonds" and shall be signed by the treasurer and countersigned by the Governor and shall be deemed a pledge of the faith and credit of the State. The Secretary of State shall keep an account of all such bonds and notes countersigned by the Governor, showing the number and amount of each bond or note, the time of countersigning, the time when payable, and the date of delivery to the State Treasurer. The treasurer shall keep an account of each bond and note, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the time when payable. The treasurer may negotiate and

sell such bonds or notes by direction of the Governor and Council, in such manner as they may determine to be most advantageous to the State, but no bonds shall be sold for less than their par value.

The report was accepted and the amendment adopted.

The bill was then read a third time pursuant to the motion of Mr. Lyford, passed, and ordered to the Senate for concurrence.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 62, Joint resolution in favor of appropriation for the purpose of additional State School Aid for the current year, reported the same with the following amendment, and the recommendation that the Joint resolution as amended ought to pass.

Amend said Joint resolution by adding in line 7 after the figure "5" the words "The said sum shall be charged to and payable out of any unexpended balance remaining in the Department of Education at the close of the fiscal year ending June 30, 1924"; further amend by striking out in lines 8, 9 and 10 the words "The Governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated," so that said Joint resolution as amended shall read:

"That the sum of \$37,926.42 be and hereby is appropriated for the purpose of permitting the State Board of Education to make additional payments of State Aid in the current year to school districts which qualified but whose allotments were reduced in accordance with the provisions of Laws of 1921, Chapter 85, Part VI, Section 5. The said sum shall be charged to and payable out of any unexpended balance remaining in the Department of Education at the close of the fiscal year ending June 30, 1923."

The report was accepted and the amendment adopted.

The Joint resolution was then read a third time pursuant to the motion of Mr. Lyford, passed and ordered to the Senate for concurrence.

Mr. Lord of Manchester, for the Committee on Appo-

priations, to whom was referred House Joint Resolution No. 3, Joint resolution providing for the erection of a dormitory at the Keene Normal School, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

On motion of Mr. Smith of Manchester, it was voted that the bill and report be made a part of the regular order for Tuesday next.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 17, Joint resolution for the improvement of the Shaker Bridge in the Town of Enfield, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 23, Joint resolution to reimburse the Town of Chesterfield for expenditures in the repair of suspension bridge over Connecticut River in 1921, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 264, An act in relation to bridges crossing the Connecticut river, reported the same with the following resolution:

*Resolved*, That it be referred to the next Legislature.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 27, Joint resolution providing for extraordinary repairs and replacements at the New Hampshire State Hospital, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted.

The Joint resolution was then read a third time pursuant to the motion of Mr. Lyford, passed, and ordered to the Senate for concurrence.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 32, Joint resolution to provide for co-operation with the United States Geological Survey in the establishment and Maintenance of stream flow gaging station, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted.

The Joint resolution was then read a third time pursuant to the motion of Mr. Lyford, passed, and ordered to the Senate for concurrence.

#### REGULAR ORDER.

On motion of Mr. Stevens of Landaff, the following matters in the regular order of today were taken up and made a part of the regular order for Tuesday next:

House Bill No. 216, An act in relation to distribution of railroad taxes, majority report, ought to pass with amendment, minority report, inexpedient to legislate, and motion of Mr. Wood of Portsmouth, to substitute.

House Bill No. 28, An act for the taxing of income derived from intangibles, motion of Mr. Wright of Sanborn-ton to indefinitely postpone, and the call of Mr. Sibley of Manchester for a division.

On motion of the following gentlemen the following matters in the regular order of today were taken up and made a part of the regular order for Tuesday next:

Mr. Foye of Manchester:

House Bill No. 27 (New Draft), An act relating to the registration of motor vehicles, the question being on the motion of Mr. Hoyt of Francestown, to indefinitely postpone, and his call for a division.

Mr. Wood of Portsmouth:

House Bill No. 373, An act to exempt from taxation the Woman's Realty Co., of Portsmouth, the question being on

the motion of Mr. Cronin of Portsmouth, to reconsider vote of passage.

Mr. Cilley of Manchester:

House Bill No. 379, An act to amend Section 20 (a) of Chapter 133, Laws of 1915, relating to ruffed grouse, on second reading.

Mr. Lyford of Concord:

House Bill No. 390, An act relating to recreation camps, on second reading.

On motion of Mr. Duncan of Jaffrey, House Bill No. 381, An act relative to the disposal of highway funds, on its second reading, was referred to the Committee on Appropriations.

House Bill No. 9 (New Draft), An act to establish a legal rate of interest, on its second reading was brought before the house.

Mr. Winant of Concord, offered the following amendment:

Amend Chapter 203 of the Public Statutes as amended by Chapter 121 of the Laws of 1921, by striking out after the enacting clause all of said chapter and inserting in place thereof the following:

SECTION 1. In rendering judgments and in all business transactions where interest is paid or secured, it shall be computed and paid at the rate of six dollars on a hundred dollars for one year, unless a lower rate or a higher rate subject to the limitations of this section is expressly stipulated. Such higher rate shall not be more than one per cent. per annum in excess of the rediscount rate on ninety day commercial paper established by the Federal Reserve Bank of Boston.

SECT. 2. If any person upon a contract receives interest at a higher rate than is permitted by the provisions of the preceding section he shall forfeit three times the sum so received in excess of the permitted rate to the person aggrieved who will sue therefor.

SECT. 3. No contract shall be rendered invalid by reason of the securing thereby, or the paying or receiving thereon, a higher rate of interest than as aforesaid; but the money

secured thereby, and actually advanced or loaned thereon, may be recovered, with interest at six per cent, after applying thereto as payments any excess of interest above the rate permitted by the provisions of Section 1, received thereon, as of the dates of such receipts. The right to such application shall exist and may be enforced so long as a right of action upon the contract may be maintained.

SECT. 4. If a person has recovered the excess above the rate permitted by the provisions of Section 1, so paid by him, he shall not thereafter be entitled to have it applied as provided in the preceding section.

SECT. 5. Nothing in this chapter shall extend to the letting of cattle, or other usages of like nature in practice among farmers, or to maritime contracts, as bottomry, insurance, or course of exchange, as heretofore used.

SECT. 6. Chapter 228, Laws of 1917, relating to small loans and Chapter 166 of the Public Statutes and amendments thereto relating to building and loans associations, Chapter 274 of the Laws of 1921, relating to the Manchester Morris Plan Bank, and Chapter 40 of the Laws of 1921, relating to Credit Unions, are hereby continued in full force and effect.

SECT. 7. Chapter 203 of the Public Statutes as amended by Chapter 121, Laws of 1921, and all other acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

Mr. Lyford of Concord offered the following amendment:

SECTION 1. Amend Section 1 by striking out the word "lower" and by substituting therefor the word "different," and by adding after the word "stipulated" the words "in writing, but in no case shall the rate exceed eight per cent per annum," so that as amended said section shall read:

"SECTION 1. In rendering judgments, and in all business transactions where interest is paid or secured, it shall be computed and paid at the rate of six dollars on a hundred dollars for one year, unless a different rate is stipulated in writing, but in no case shall the rate exceed eight per cent."

SECT. 2. Amend Section 2 by striking out the words

"six per cent" as the same appear therein and by substituting therefor the words "the legal rate," so that as amended, said section shall read:

"SECT. 2. If any person, upon a contract, received interest at a higher rate than the legal rate, he shall forfeit three times the sum so received in excess of the legal rate to the person aggrieved who will sue therefor."

SECT. 3. Amend Section 3 by striking out the words "six per cent" where the same first appear therein and by substituting therefor the words "the legal rate," so that as amended said section shall read:

"SECT. 3. No contract shall be rendered invalid by reason of the securing thereby, or the paying or receiving thereon, a higher rate of interest than the legal rate; but the money secured thereby, and actually advanced or loaned thereon, may be recovered, with interest at six per cent, after applying thereto as payments any excess of interest above six per cent received thereon, as of the dates of such receipts. The right to such application shall exist and may be enforced as long as a right of action upon the contract may be continued."

SECT. 4. Amend Section 4 by striking out the words "six per cent" as the same appear therein and by substituting therefor the words "the legal rate," so that as amended said section shall read:

"SECT. 4. If a person has received the excess above the legal rate so paid by him, he shall not thereafter be entitled to have it applied as provided in the preceding section."

On motion of Mr. Lyford of Concord the bill and proposed amendments were made a part of the regular order for Tuesday next.

House Bill No. 383, An act in amendment of Section 5, Chapter 55, Laws of 1919, as amended by Section 3, Chapter 120, Laws of 1921, relating to permit fees on motor vehicles, on its second reading was brought before the House.

On motion of Mr. Duncan of Jaffrey the rules were suspended, the bill read a third time by its title, passed, and sent to the Senate for concurrence.

## CHANGE OF ORDER.

Mr. Sibley of Manchester withdrew his call for a division on the motion of Mr. Wright of Sanbornton to indefinitely postpone House Bill No. 28, An act to provide for the taxation of incomes derived from intangibles.

## REGULAR ORDER CONTINUED.

House Bill No. 99, An act to establish a continuous highway from the Lake Sunapee Road at Bristol to the Daniel Webster Highway to Meredith, majority report: inexpedient to legislate, minority: ought to pass, and motion of Mr. Gordon of New Hampton to substitute, was placed before the House.

The question being on the substitution.

(Discussion ensued.)

Mr. Hutchins of Berlin moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being on the substitution, the vote was in the negative, and the majority report and resolution adopted.

## AMENDMENT PROPOSED.

Mr. Martin of Concord asked leave, which was granted, to have a proposed amendment to House Bill No. 27 (In New Draft), An act relating to the registration of automobiles, separately printed.

## RESOLUTION.

Mr. Stevens of Landaff presented the following resolution which was adopted:

*“Resolved, That when the House adjourns on Monday next, it be to meet at 10 A. M. on Tuesday, and be it further*

*“Resolved, That when the House meets on Tuesday next, it remain in session till the Regular Order and Third Readings for that day are acted upon.”*



## REPORT OF COMMISSION.

The Commission appointed by the Governor with the advice and consent of the Council, under Chapter 179 of the Laws of 1921, to investigate and report in regard to employer's liability and workmen's compensation, having held several hearings, submit this report of progress. We are of the opinion that modifications of the existing law are most desirable, but we are unable at this time to make final recommendations or to present a draft of a bill upon which the Commission is in agreement.

Respectfully submitted:

April 24, 1923.

JOHN G. WINANT,

*Clerk for the Commission.*

The report was accepted.

## THIRD READING.

On motion of Mr. Newton of Concord, business in order at 3 o'clock was made in order at the present time.

The following bill was read a third time, passed and ordered to the Senate for concurrence. House Bill No. 151, An act relating to contracts for labor.

The following bill was read a third time, House Bill No. 182, An act in amendment of Chapter 31 of the Public Statutes, as amended by Chapter 52 of the Laws of 1899, Chapter 179 of the Laws of 1911, and Chapter 3 of the Special Session Laws of 1919, in relation to the rights and qualifications of voters.

On motion of Mr. Stevens of Landaff, the bill was then put back on its second reading, and the bill committed to the Committee on Judiciary.

On motion of Mr. Fulton of Effingham at 5.30 the House adjourned.

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FRIDAY, APRIL 27, 1923.

The House met at 9.30. On motion of Mr. Franklyn of Cornish at 9.31, the House adjourned.

MONDAY, APRIL 30, 1923.

The House met at 7.30. The following letter was read:

CONCORD, N. H., APRIL 30, 1923.

JAMES G. GANNON,  
CONCORD, N. H.

*Dear Sir:*

I shall be unable to be present at this evening's session.  
Will you, therefore, preside and oblige,

Very truly yours,

WILLIAM J. AHERN.

On motion of Mr. Duncan of Jaffrey at 7.31, the House adjourned.

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TUESDAY, MAY 1, 1923.

The House met at 10 o'clock.

In view of the delayed train service the Speaker declared a recess of one-half hour.

(After recess.)

Prayer was offered by the chaplain.

#### LEAVES OF ABSENCE.

Mr. Howard of Lebanon was granted leave of absence for the day on account of illness.

Mr. Smart of Ossipee was granted leave of absence for the week on account of illness in the family.

Messrs. Ford of Amherst, Wood of Stewartstown, Quinn of Manchester, Davison of Haverhill, Cotton of Warren, Moore of Berlin, and Aiken of Franklin, were granted leave of absence for the day on account of business.

Mr. Winant of Concord was granted leave of absence for the week on account of business.

## MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has passed the following Senate Bill, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 37, An act designating the House of Correction of Strafford County as a jail.

The message further announced that the Senate has voted to concur with the House of Representatives in its amendment to the following Senate Bill:

Senate Bill No. 32, An act to provide safety exit facilities for schoolhouses.

The message further announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 192, An act relating to the tax upon the transfer at death of personal property of non-residents.

House Bill No. 238 (In New Draft), An act enlarging the powers of Moore's Falls Corporation.

House Bill No. 245, An act for the partial exemption of certain property to be used for hotel purposes in the City of Manchester.

House Bill No. 372, An act relating to the rates of inheritance and succession taxes.

House Bill No. 387, An act to authorize the conveyance of the interest of the State in a certain parcel of land in the Town of Haverhill to said town.

House Bill No. 191, An act in amendment of the Laws relating to legacy and succession taxes.

House Bill No. 377, An act providing for the propounding and prosecution of a claim by and in the name of the State of New Hampshire against the Federal Government for the recovery of taxes heretofore illegally assessed against citizens and residents of New Hampshire and paid by them.

The message further announced that the Senate refuses to concur with the House of Representatives in the passage

of the following entitled bills sent up from the House of Representatives:

House Bill No. 152 (New Title and New Draft), An act relating to the distribution of the personal property of deceased persons.

House Bill No. 284 (New Draft), An act to regulate bakeries and bakery products.

The message further announced that the Senate has voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives.

House Bill No. 308, An act to regulate the salary of the Solicitor of Rockingham County.

Amend Section 2 of said bill by striking out the whole thereof and inserting in place thereof the following:

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and upon its passage this act shall take effect as of April 1, 1923.

House Bill No. 351, An act in amendment of Chapter 177 of the Laws of 1917, entitled: "An act to more effectively restrain agreements to regulate and fix prices of commodities in this State and to restrain combinations and monopolies in commodities and provide penalties therefor."

Amend said bill by striking out all of Section 1 and inserting in place thereof the following:

SECTION 1. Amend Chapter 177 of the Laws of 1917, by renumbering Sections 8 and 9 to read Sections 9 and 10 and by inserting a new section to read as follows:

SECT. 8. No organization enumerated in Section 7, or the members thereof, if they have a capital stock, shall be held or considered to be an illegal trust or conspiracy against trade; under this act, if they are operating in conformity with Chapter 57 of the Laws of the Second Session of the Sixty-Seventh Congress, entitled: "An act to authorize association of producers of agricultural products."

The message further announced that the Senate has voted to adopt the following report of the Committee of Confer-

ence on House Bill No. 204, An act in amendment of Section 1 of Chapter 96 of the Session Laws of 1901, entitled: "An act relating to high schools," as amended by Chapter 118, Laws of 1903, as amended by Chapter 16, Laws of 1917; in the adoption of which report it asks the concurrence of the House of Representatives:

The Committee of Conference on House Bill No. 204, having considered the disagreement between the Senate and House, have reached a conclusion, and submit the following report:

That the bill as amended by the Senate be further amended by striking out the word "sixty-five" in the last line but one of Section 1 of the bill and substituting therefor the word "seventy"; so that said Section 1 shall read as follows:

"SECTION 1. Any town not maintaining a high school or school of corresponding grade shall pay for the tuition of any child who with parents or guardian resides in said town and who attends a high school or academy in the same or another town or city in this State; and the parent or guardian of such child shall notify the school board of the district in which he resides of the high school or academy which he has determined to attend: *Provided, however,* that no town shall be liable for tuition of a child in any school in excess of the average cost per child of instruction for the regularly employed teachers of that school and the cost of text books, supplies and apparatus during the school year preceding, nor in any case shall the town be liable for tuition for any child in excess of seventy dollars and in senior high school work only."

JOHN F. SWASEY,  
JOHN A. HAMMOND,  
HERMAN C. RICE,

*Conferees on the part of the Senate.*

JAMES O. LYFORD,  
WILLIAM H. BARRY,  
GEO. H. DUNCAN,

*Conferees on the part of the House.*

## COMMITTEE REPORTS.

Mr. Gilchrist of Henniker for the Committee on Public Improvements, to whom was referred Senate Joint Resolution No. 6, Joint resolution in favor of changing the name of the highway known as "East Side Road" to "The Wentworth Highway," reported the same with the following amendment, and the recommendation that the Joint resolution as amended ought to pass.

Amend by striking out the caption and inserting in place thereof the following:

Joint resolution in favor of changing the name of the highway known as the "East Side Road" to "The Governor Weare Highway."

Further amend by striking out all after the resolving clause and inserting in place thereof the following:

In honor of services rendered by our first New Hampshire Governor, Meshech Weare, the great New Hampshire highway described as follows: Beginning at the Massachusetts State boundary, running northerly over the Ocean Boulevard, so-called, through Seabrook, Hampton Falls (his life home), Hampton, North Hampton, Rye, Portsmouth, Newington, Dover, Somersworth, Rochester, Milton, Wakefield, Wolfeboro, Ossipee, Tamworth, Albany, Conway, Bartlett, Jackson, Pinkham's Notch, Gorham, Berlin, Milan, Dummer, Cambridge, Errol, Millsfield, Dixville Notch, to its junction with the "Daniel Webster Highway" at Colebrook, now known as the "East Side Road," be hereby changed to "The Governor Weare Highway"; and the Governor and Council are hereby authorized to do all things necessary to suitably mark and designate it accordingly.

The report was accepted.

The question being on the adoption of the amendment.

(Discussion ensued.)

Mr. Wood of Portsmouth moved that the Joint resolution and proposed amendment be laid on the table, and the vote was in the affirmative.

Mr. Gilchrist of Henniker for the Committee on Public Improvement reported the following Joint resolution, House Joint Resolution No. 69, Joint resolution in favor of naming the State Highway from Hampton to the State Line at Seabrook "The Lafayette Road," with the recommendation that the Joint resolution ought to pass.

The report was accepted.

On motion of Mr. Wood of Portsmouth it was voted that the Joint resolution be laid upon the table.

#### REGULAR ORDER.

On motion of Mr. Lyford the rules were suspended, and House Bill No. 28, An act to provide for the taxation of income derived from intangibles, the motion of Mr. Stevens of Landaff, to substitute the minority report, ought to pass as amended, for that of the majority, ought to pass in new draft and title, and the motion of Mr. Wright of Sanbornton, to indefinitely postpone, was brought before the House.

Mr. Wright withdrew his motion to indefinitely postpone. The question being on the substitution.

(Discussion ensued.)

Mr. Conboy of Manchester, moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being on the substitution, Mr. Lyford called for a division, and a division was had with the following result:

For the substitution, 161.

Against the substitution, 161.

The Speaker voting in favor of the substitution, Mr. Fernald of Dover, called for the Ayes and Nays.

The roll was called with the following result:

NAYS, 162.

ROCKINGHAM COUNTY.—Griffin of Auburn, Pike, White, Knights, Merrill of Exeter, Swain, Daniell, Randall, Hobbs,

Bartlett of Kingston, Kent, Littlefield, Dow of North Hampton, Steward, Smith of Portsmouth, Trafton, Wood of Portsmouth, Rand, Coles, Felch, Dow of Windham.

STRAFFORD COUNTY.—Locke, Cloutman, Reynolds, Howard of Dover, Fernald, Webb, Roberts of Dover, Fogg, Smith of Farmington, Comings, Lawrence, Stevens of Milton, Meader, Chesley, Preston.

BELKNAP COUNTY.—Smith of Belmont, Sanborn of Center Harbor, Weeks of Gilford, Dunlap, Avery, Jewett, Merrill of Laconia, Badger, Roberts of Meredith, Gordon of New Hampton, Wright, Sanborn of Tilton, Smith of Tilton.

CARROLL COUNTY.—Willey, Currier of Conway, Blanchard, Hoyt of Sandwich, Fall, Lord of Wakefield, Clow, Hale.

MERRIMACK COUNTY.—Albee, Sanborn of Bradford, Tallman, Robinson of Concord, Danforth, Newton of Concord, Cressy, Martin of Concord, Roby, Carleton of Concord, Lund, Fowler, Gilchrist, Murdock, Hill of Loudon, Carter, Cheney of Pittsfield, Jackson, Wells of Sutton.

HILLSBOROUGH COUNTY.—Flint, Clark of Bedford, Balch, Rockwood, Hoyt of Francestown, Davis of Goffstown, Russell, Weston, Butler, Childs, Merrill of Hudson, Spaulding of Hudson, Cilley, Dodge of Manchester, Cox of Manchester, DeMoulpiéd, Lord of Manchester, Nyberg, Gordon of Merrimack, Ordway, Robinson of Milford, Eaton, Pentland, Christie, Walker of New Ipswich, Carleton of Pelham, Roby, Eastman of Weare, Hickey.

CHESHIRE COUNTY.—Dewing, Spring, Garfield, Firmin, Blake, Duncan, Hogan, Callahan, Hopkins of Keene, Mason, Jones of Keene, Reed, Barrett of Keene, Gates, King of Keene, Tuttle, Ball, King of Walpole, Wells of Walpole, Burt, Kellom.

SULLIVAN COUNTY.—Clark of Acworth, Barry of Charlestown, Barney, Brooks, Nichols, Tenney of Claremont, Wolcott, Rossiter, Franklyn, Barton, Bluitte, Glynn, Lewis, Robinson of Newport, Osborne.

GRAFTON COUNTY.—Southard, Collins, Pulsifer of Camp-ton, Ashley, Rudd, Cross, Pulsifer of Holderness, Eastman



of Lebanon, Ross, Stanley, MacLeod, Converse, Sherwood, Kidder, Howard of Piermont.

COOS COUNTY.—Hutchins of Berlin, Ferren, McIntire, Rowden, Watson, Brown.

YEAS, 164.

ROCKINGHAM COUNTY.—Wheeler of Atkinson, McDuffee of Candia, MacMurphy, Senecal, Taylor, Ladd, Pridham, Rousseau, Wardman, Caldwell, Dowdell, Weeks of Portsmouth, Casey, Cronin, Kane, Bartlett of Raymond, Cowan.

STRAFFORD COUNTY.—Durkin, O'Neill, Janelle, Ryan, Durnin, Gotts, Edgerly, Gelinas, Marcoux, Davis of Rollinsford, Girard, Cote.

BELKNAP COUNTY.—Jones of Alton, Holmes, Kempton, Normandin, French, Laycock.

CARROLL COUNTY.—Chandler, Fulton, Philbrick.

MERRIMACK COUNTY.—Rollins, Grimes, Dodge of Concord, Rolfe, Phillips, Lyford, Lee, Gannon, Mahan, Judkins, Newton of Franklin, Chaney, LaSalle, Walker of Hopkinton, Farmer of Newbury, Bellerose, Sanborn of Salisbury, Johnson of Warner, Seavey.

HILLSBOROUGH COUNTY.—Spaulding of Goffstown, Boisvert, Hardy of Hollis, Putnam, Cronan, Bartlett of Manchester, Yantis, Hartford, Johnson of Manchester, Murphy of Ward 3, Manchester, Burns of Manchester, Grant, Fitzgerald, Clancy, Connor, Creighton, Fleming, Kelley of Ward 5, Manchester, Laughlin, Tobin, Barry of Manchester, Burke, Currier of Manchester, Murphy of Ward 6, Manchester, Sibley, Smith of Manchester, Carr, Foye, Healey, Sullivan of Manchester, Bouchard, Donnelly, Leonard, McLaughlin, Morin, Conboy, McBride, Riley, Rourke, Blais of Manchester, Craig, Gowitzke, McDonnell, Roukey, Gauthier of Ward 12, Manchester, Lamy, Maynard, Rajotte, St. Germain, Dionne, Duval, Gagnon, Gauthier of Ward 13, Manchester, Lovejoy, Wheeler of Nashua, Boilard, Dube, Trombly, Spillane, Burns of Nashua, Lyons, Barry of Nashua, Hallisey, Sylvestre, Girouard, Papachristos, Pelletier, Bass.

CHESHIRE COUNTY.—Bemis, O'Connor, Empey, Sawtelle, Davis of Stoddard, Dickinson, McGinness.

SULLIVAN COUNTY.—Thornton, Colby, Farnsworth.

GRAFTON COUNTY.—Hardy of Ashland, Parker, Webster, Hill of Enfield, Lang, Page, Stevens of Landaff, McNamara, Waterman, Price, Nourse, Elms, Fadden, Sawyer.

COOS COUNTY.—Keleher, Larue, Larochelle, Young of Berlin, Marks, Smith of Berlin, Labrie, Frizzell, Young of Colebrook, Mortenson, Jacobs, Nay, Nutting, Hutchins of Strafford, Snow.

Mr. King of Concord voting no, was paired with Mr. Winant of Concord, voting yes.

The minority report was accepted and the amendment adopted.

Mr. Stevens of Landaff, offered the following amendments which were adopted:

Amend Section 1 by striking out of said section in the 6th line the words "in the year during which taxable income is received" and inserting in place thereof the following words: "for the year in which the taxes imposed by this act are assessed," so that as amended said Section 1 will read as follows:

"SECTION 1. There shall be levied in the year nineteen-twenty-four, and in each year thereafter, a tax upon incomes as hereinafter set forth at the average rate of taxation, as near as may be, existing upon other property throughout the state, excepting polls, savings banks deposits and property specially taxed, for the year in which the taxes imposed by this act are assessed."

Amend Section 19, by striking out the following: If, pending action by the legislature of 1925, the Governor and Council approve the payment to members of the commission of compensation to which they are reasonably entitled in addition to their salaries now provided by law, on account of the extra duties imposed by this act, the Governor is hereby authorized to draw his warrant therefor.

So that the section as amended shall read:

SECT. 19. The expense of administration of this act

shall be paid out of any money in the State treasury not otherwise appropriated until taxes have been received by the State treasurer hereunder, and thereafter such expense shall be paid out of said taxes. The tax commission and the State treasurer are hereby authorized to employ such assistance and to incur such expense as the Governor and Council may approve, and the Governor is hereby authorized to draw his warrant therefor.

Mr. Wood of Portsmouth offered the following amendment:

Amend Section 2, by striking out the following:

(4) *Provided, however,* that in computing the tax on any income taxable under this act the sum of two hundred dollars (\$200) shall be deducted in every case by the Tax Commission from the amount of income otherwise taxable as an exemption.

On a *viva voce* vote the chair was in doubt.

Mr. Wood of Portsmouth called for a division, which was had with the following result:

For adoption: 119.

Against adoption: 171.

The amendment was rejected.

On motion of Mr. Stevens of Landaff the rules were suspended, the bill read a third time by its title, passed, and ordered to the Senate for concurrence.

Mr. Smith of Manchester moved that the rules be so far suspended as to allow House Joint Resolution No. 3, Joint resolution providing for the erection of a dormitory at the Keene Normal School, and the report of the Appropriations Committee, inexpedient to legislate, to be brought before the House at this time.

The question being on the suspension of the rules, on a *viva voce* vote the Speaker was in doubt and ordered a division.

A division was had with the following result:

For suspension: 154; against suspension: 106.

The motion was lost.

Mr. Wood of Portsmouth moved that the House take a recess for one hour.

The motion was lost.

## COMMITTEE REPORTS CONTINUED.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 83, An act for improving instruction in rural schools, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 170, An act to establish a continuous highway from Smith's Corner in the Town of Londonderry to the State Line at Dracut, Massachusetts, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 248, An act for the protection of apple orchards, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 278, An act in regards to the construction and maintenance of the Daniel Webster Highway in the Town of Lincoln, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 4, Joint resolution to enable the State to co-operate with the United States in the promotion of the welfare and hygiene of maternity and infancy in the State of New Hampshire, reported the same with the recommendation that the Joint resolution ought to pass.

Mr. Keleher of Berlin moved that the Joint resolution be indefinitely postponed, and on that motion discussion ensued.

Mr. Martin of Concord moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being: Shall the Joint resolution be indefinitely postponed?, the vote was against the postponement.

The report of the committee was accepted.

Mr. Keleher of Berlin offered the following amendment which was adopted:

Amend House Joint Resolution No. 4 by adding at the end thereof the following:

*Provided*, that should the Federal appropriation above described become unavailable by reason of an adverse decision of the United States Supreme Court, or otherwise, then the sums herein appropriated to be paid out of the treasury of the State shall, nevertheless, be so paid out for either or both of the next two fiscal years, to be used and expended under the direction of the State Board of Health for the promotion of the welfare and hygiene of maternity and infancy.

On motion of Mr. Fernald of Dover the rules were suspended, the Joint resolution read a third time, passed, and sent to the Senate for concurrence.

Mr. Murdock of Hill was allowed by the Speaker to have his name entered on the record as opposed to the passage of the Joint resolution.

On motion of Mr. Martin of Concord, it was voted that the House take a recess of 45 minutes.

(After recess.)

Mr. Martin of Concord offered the following resolution which was adopted:

*Whereas*, It appears that all necessary legislative work may be accomplished by Friday, May 4, proximo, therefore be it

*Resolved*, by the House of Representatives, the Senate

concurring, that the present session of the legislature be brought to final adjournment on Friday, May 4, proximo, at five o'clock in the afternoon, and be it further

*Resolved*, That all reports, bills and joint resolutions pending at that time in either branch of the legislature be indefinitely postponed.

COMMITTEE REPORTS CONTINUED.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 26, Joint resolution for improvements at the School for feeble-minded children, reported the same with the following amendment, and the recommendation that the Joint resolution as amended ought to pass:

Amend by striking out all after the resolving clause and inserting in place thereof the following:

That the following sums be and are hereby appropriated for the New Hampshire School for Feeble-Minded Children: Twelve hundred dollars (\$1,200) for water-proofing the cement water tower; Three thousand eight hundred dollars (\$3,800) for an additional boiler; Six thousand dollars (\$6,000) for repairs and equipment of the farm buildings on the Charles Sanborn place to be used as a colony for boys; and the Governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

The report was accepted and the amendment adopted.

On motion of Mr. Fernald of Dover, the rules were suspended, the Joint resolution read a third time, passed and sent to the Senate for concurrence.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 29, Joint resolution appropriating money for agricultural fairs in New Hampshire, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester for the Committee on Appropria-

tions, to whom was referred House Joint Resolution No. 61, Joint resolution to enable the State Board of Health to inspect meat and slaughtering establishments in the State. reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 44, Joint resolution appropriating money for the New Hampshire College of Agriculture and Mechanic Arts, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 65, Joint resolution in favor of Charles H. Chandler, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted.

On motion of Mr. Fernald of Dover, the rules were suspended, the Joint resolution read a third time, passed and sent to the Senate for concurrence.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 66, Joint resolution in favor of Clarence G. Gove, reported the same with the recommendation that the Joint resolution ought to pass.

The report was accepted.

On motion of Mr. Fernald of Dover, the rules were suspended, the Joint resolution read a third time, passed and sent to the Senate for concurrence.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 111, An act relating to the salary of the Deputy Register of Probate for the County of Merrimack, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. Fernald of Dover the rules were suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 172, An act relating to the salary of the Motor Vehicle Commissioner, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. Fernald of Dover the rules were suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 326, An act in amendment of Chapter 220 of the Laws of 1917, entitled: "An act relating to the salaries of certain State officials, in amendment of Section 11, Chapter 286 of the Public Statutes," reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. Fernald of Dover the rules were suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred Senate Bill No. 17, An act referring to the salary of the State Agent of the Blind, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 1 by striking out the word "eighteen" in line 2 and inserting in place thereof the word "fifteen," so that said section, as amended, shall read as follows:

SECTION 1. The salary of the State Agent of the Blind is hereby fixed at fifteen hundred dollars per year.

The report was accepted and the amendment adopted.

On motion of Mr. Fernald of Dover the rules were suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence in the amendment.

Mr. De Moulpied of Manchester, for the Special Com-



mittee consisting of the Manchester Delegation, to whom was referred House Bill No. 386, An act relating to issuance of permits for flower and tag days, reported the same in new draft and new title, with the recommendation that the bill in its new draft and its new title ought to pass.

Read a first and second time.

On motion of Mr. Fernald of Dover, the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

#### BILL INTRODUCED.

On motion of Mr. Jewett of Laconia, the rules were suspended for the introduction of an unadvertised report by the Committee on Judiciary.

Pursuant thereto, Mr. Jewett of Laconia, for the Committee on Judiciary, reported the following entitled bill, House Bill No. 403, An act to authorize a proposed sewer district in the Town of Derry, to borrow money and to issue bonds, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Fernald of Dover, the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

#### REGULAR ORDER.

The following bills on second reading, were brought before the House.

House Bill No. 390, An act relating to recreation camps.

Mr. Cilley of Manchester, moved that the bill be indefinitely postponed, and discussion ensued.

Mr. Littlefield of Newton, moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being on the postponement, the vote was in the affirmative and the bill indefinitely postponed.

House Bill No. 46, An act in amendment of Section 1, Chapter 87 of the Public Statutes, in relation to the maintenance of bastard children.

On motion of Mr. Martin of Concord, the rules were suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

House Bill No. 373, An act to exempt from taxation the Woman's Realty Co., of Portsmouth, the question being on the motion of Mr. Cronin of Portsmouth, to reconsider a previous vote of passage, was brought before the House.

On motion of Mr. Cronin of Portsmouth, the matter was placed in the regular order of tomorrow.

House Bill No. 379, An act to amend Section 20 (a) of Chapter 133, Laws of 1915, relating to ruffed grouse, on its second reading was brought before the House.

Mr. Empey of Keene, offered the following amendment:

Amend Section 1 by striking out in line 7 of the printed bill the words "Belknap and Cheshire" and inserting in place thereof the words "and Belknap" so that said section as amended shall read as follows:

SECTION 1. Amend Section 20 (a) of Chapter 133 of the Laws of 1915, by striking out the whole thereof, and substituting therefor the following:

SECT. 20 (a). Ruffed grouse, commonly called partridge, may be taken and possessed in the counties of Sullivan, Rockingham, Merrimack, Hillsborough, Strafford and Belknap from September fifteenth to January first, and in the counties of Carroll, Grafton and Coos from October first to December first.

(Discussion ensued.)

Mr. Cilley of Manchester moved that the bill and proposed amendment be indefinitely postponed, and discussion ensued.

Mr. Connor of Manchester, moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being: Shall the bill be indefinitely postponed?, on a *viva voce* vote the Speaker was in doubt.

Mr. Sibley of Manchester, called for a division and a division was had with the following result:

For postponement, 146.

Against postponement, 106.

and the vote being insufficient under the rules, the matter was placed in unfinished business.

#### CHANGES OF ORDER.

The following matters in the regular order for to-day, were, on motion of the following gentlemen, placed in the regular order for to-morrow:

House Joint Resolution No. 3, Joint resolution providing for the erection of a dormitory at the Keene Normal School, and report of committee, inexpedient to legislate, on motion of Mr. Smith of Manchester.

House Bill No. 216, An act in relation to distribution of railroad taxes, majority report, ought to pass with amendment, minority, inexpedient to legislate, and motion of Mr. Wood to substitute, on motion of Mr. Stevens of Landaff.

House Bill No. 27 (New Draft), An act relating to the registration of motor vehicles, question on motion of Mr. Hoyt of Francestown, to indefinitely postpone, and his call for a division, on motion of Mr. Stevens of Landaff.

House Bill No. 9 (New Draft), An act to establish a legal rate of interest, with proposed amendments, on motion of Mr. Stevens of Landaff.

#### THIRD READINGS.

On motion of Mr. Lyford of Concord, business in order at 3 o'clock was made in order at the present time.

The following bill was read a third time, passed and ordered to the Senate for concurrence:

House Bill No. 401, An act authorizing the School District of the Town of Epping to borrow money in excess of the limit prescribed by law.

## MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the House of Representatives in the passage of the following concurrent resolution, sent up from the House of Representatives:

*Whereas*, It appears that all necessary legislative work may be accomplished by Friday, May 4, proximo, therefore be it

*Resolved*, By the House of Representatives, the Senate concurring, that the present session of the legislature be brought to final adjournment on Friday, May 4, proximo, at five o'clock in the afternoon, and be it further

*Resolved*, That all reports, bills and joint resolutions pending at that time in either branch of the legislature be indefinitely postponed.

## SENATE BILL INTRODUCED.

The following Senate Bill was read a first and second time:

Senate Bill No. 37, An act designating the House of Correction of Strafford County as a jail.

On motion of Mr. Martin of Concord, the rules were suspended, reference to a committee dispensed with, the bill read a third time, passed, and ordered to the Secretary of State to be engrossed.

## AMENDMENTS ADOPTED.

On motion of Mr. Lyford of Concord, the House voted to concur with the Senate in the amendment offered by the Committee on Engrossed Bills to the following bills:

House Bill No. 308, An act to regulate the salary of the solicitor of Rockingham County.

House Bill No. 351, An act in amendment of Chapter 177 of the Laws of 1917, entitled: "An act to more effectively restrain agreements to regulate and fix prices of commodities in this State and to restrain combinations and monopolies in commodities and provide penalties therefor".

The bills were sent to the Secretary of State to be engrossed.

## REPORT OF CONFERENCE COMMITTEE.

On motion of Mr. Lyford of Concord the House voted to concur with the Senate in the adoption of the report and proposed amendment of the Committee on Conference on House Bill No. 204, An act in amendment of Section 1 of Chapter 96 of the Session Laws of 1901, entitled: "An act relating to high schools", as amended by Chapter 118, Laws of 1903, as amended by Chapter 16, Laws of 1917.

The bill was sent to the Secretary of State to be engrossed.

## REPORT OF COMMITTEE.

Mr. Converse of Lyme for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 34, An act to prohibit the sale and manufacture of inflammable stove polishes, reported the same under Joint Rule 6, with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend Section 3 of said bill by striking out the whole thereof and substituting the following:

SECT. 3. So much of Chapter 101, Laws of 1921, as is inconsistent herewith and all other acts and parts of acts inconsistent herewith are hereby repealed and this act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to the Senate for concurrence in the amendment.

Mr. Converse of Lyme for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 7 (House New Draft in Senate New Draft), An act in relation to the foreclosure of power of sale mortgages of real estate, reported the same under Joint Rule 6, with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend Section 1 of said bill by striking out the first sixteen lines thereof and inserting in place thereof the following:

SECTION 1. Amend Section 3, Chapter 19, Laws of 1899, as amended by Section 1, Chapter 2, Laws of 1905, by strik-

ing out the whole thereof and inserting in place thereof the following:

On motion of Mr. Lyford of Concord the bill and proposed amendment was laid upon the table.

On motion of Mr. Wood of Portsmouth at 4.25 the House adjourned.

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WEDNESDAY, MAY 2, 1923.

The House met at 11 o'clock.

Prayer was offered by the chaplain.

PETITION.

Mr. Newton of Concord, presented the following petition which was referred to the Committee on Fish and Game: Petition of Wild Flower Club of Concord against change in game laws.

LEAVES OF ABSENCE.

Mr. Webb of Dover was granted leave of absence for the day on account of illness.

Mr. Frizzell of Colebrook was granted leave of absence for the week on account of business.

Mr. Smith of Peterborough was granted leave of absence for the week on account of death in family.

Mr. Edgerly of Rochester was granted leave of absence for the day on account of business.

COMMITTEE REPORTS.

Mr. Chandler of Conway, for the Committee on Fish and Game, reported the following entitled bill, House Bill No. 404, An act in amendment of Section 29, Chapter 133, Laws of 1915, as amended by Section 5, Chapter 140, Laws of 1921, relating to fish and game, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Martin of Concord the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third

time by its title, passed, and sent to the Senate for concurrence.

Mr. Chandler of Conway for the Committee on Fish and Game, to whom was referred Senate Bill No. 28, An act in amendment of the Fish and Game Laws, relating to the taking and possession of pickerel, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Martin of Concord the rules were suspended, the bill read a third time by its title, passed, and sent to the Secretary of State to be engrossed.

Mr. Chandler of Conway for the Committee on Fish and Game, to whom was referred House Bill No. 266, An act to increase the bounty on wildcats, reported the same without recommendation.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

On motion of Mr. Stevens of Landaff the rules were suspended, the order of reference to the Committee on Appropriations vacated, and the bill at once brought before the House.

The question being: Shall the bill be read a third time?, Mr. Callahan of Keene moved that the bill be indefinitely postponed.

(Discussion ensued.)

Mr. Hutchins of Berlin moved the previous question.

The question being: Shall the main question now be put, the vote was in the affirmative.

The question being: Shall the bill be indefinitely postponed?, the vote was against the postponement.

On motion of Mr. Stevens of Landaff, the rules were suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the House

of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 396, An act to authorize the School District of the Town of Newmarket to exceed its limit of bonded indebtedness as fixed by Chapter 129, Laws of 1917.

House Bill No. 209, An act to make uniform the law relating to the sale of goods and known as The Uniform Sales Act.

House Bill No. 221 (In New Draft), An act in amendment of an addition to Chapter 78, Laws of 1897, as amended by Chapter 30, Laws of 1919, relating to the creation of voting districts and additional polling places in City wards.

House Bill No. 329, An act in amendment of Chapter 118 of the Session Laws of 1921, entitled "An act to equalize the salaries of certain State Officials and establish maximum salary limits."

House Bill No. 353, An act relating to pensions for the employees of the City of Nashua.

House Bill No. 370, An act relating to motor vehicles.

House Bill No. 371, An act relating to an abatement of State and County taxes in towns having forest lands in the possession of the National Government.

House Bill No. 389, An act empowering the City of Nashua to incur debts to the amount of six per cent. of its valuation.

House Bill No. 394, An act in amendment of paragraph IX of Section 1 of Chapter 83 of the Public Statutes, relating to paupers.

House Bill No. 395, An act in amendment of Section 1, Chapter 93, Laws of 1919, requiring annual returns of corporations.

House Bill No. 366, An act in amendment of Chapter 125, Laws of 1921, providing for the reduction in the allotments of state aid for schools when the appropriation is insufficient to meet the approved claims of the school districts.

House Bill No. 354, An act to provide for the taxation of growing timber on woodlots not exceeding fifty acres.

House Bill No. 385, An act relating to the New Hamp-



shire College of Agriculture and the Mechanic Arts and establishing the University of New Hampshire.

The message further announced that the Senate has passed the following entitled bills, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 29 (In New Draft), An act in amendment of Section 3, Chapter 187 of the Session Laws for the year 1913, relating to the registration of Foreign Corporations.

Senate Bill No. 41, An act to regulate the supply of fuel.

#### COMMITTEE REPORTS CONTINUED.

Mr. Chandler of Conway for the Committee on Fish and Game, to whom was referred House Bill No. 388, An act amending Sub-division (a), Section 28, Laws of 1915, as amended by Section 13, Chapter 184, Laws of 1917, as amended by Section 14, Chapter 140 and Section 1, Chapter 80, Laws of 1921, relating to brook trout, reported the same in new draft with the recommendation that the bill in its new draft ought to pass.

Read a first and second time. On motion of Mr. Martin of Concord the rules were suspended and the printing dispensed with.

Mr. Martin of Concord offered the following amendment:

Amend House Bill No. 388 (New Draft), by striking out all after the semicolon in line 15 of the bill, and inserting in place thereof the following: "Brook trout not less than five and one-half inches in length may be taken and possessed from April first to August first from all streams in the State with the exception of Hillsborough and Rockingham Counties where the length shall be six inches.

The question being on the adoption of the amendment.

(Discussion ensued.)

On motion of Mr. Lyford of Concord it was voted that the House take a recess of five minutes.

(After recess.)

Mr. Martin of Concord withdrew the amendment.

Mr. Hoyt of Sandwich moved to suspend the rules and put the bill on its third reading and passage at this time.

Mr. Laughlin of Manchester moved that the bill be indefinitely postponed.

On the question of postponement, on a *viva voce* vote the Speaker was in doubt.

Mr. Sibley of Manchester, called for a division, and a division was had with the following result:

For postponement, 146.

Against postponement, 144.

Mr. Blanchard of Moultonboro, called for the Ayes and Nays, and the roll was called with the following result:

YEAS, 156.

ROCKINGHAM COUNTY.—Wheeler of Atkinson, Griffin of Auburn, McDuffee of Candia, Senecal, Taylor, Ladd, Swain, Daniell, Hobbs, Kent, Littlefield, Dow of North Hampton, Steward, Weeks of Portsmouth, Smith of Portsmouth, Wood of Portsmouth, Rand, Coles, Cowan, Dow of Windham.

STRAFFORD COUNTY.—Locke, Cloutman, Reynolds, Durkin, Howard of Dover, Fernald, Jenelle, Ryan, Lawrence, Gotts, Lowe, Cote.

BELKNAP COUNTY.—Holmes, Smith of Belmont, Goodwin, Kempton, Jewett, Merrill of Laconia, French, Badger, Wright, Sanborn of Tilton, Smith of Tilton.

CARROLL COUNTY.—None.

MERRIMACK COUNTY.—Desroche, Grimes, Albee, Dodge of Concord, Lyford, Cressy, Kendall, Roby, King of Concord, Lund, Newton of Franklin, Murdock, Chaney, Carter, Bellerose, Martin of Pembroke.

HILLSBOROUGH COUNTY.—Ford, Rockwood, Hoyt of Francestown, Spaulding of Goffstown, Boisvert, Weston, Butler, Hardy of Hollis, Merrill of Hudson, Cilley, Cronan, Dodge of Manchester, Bartlett of Manchester, DeMoulied, Lord of Manchester, Johnson of Manchester, Nyberg, Burns of Manchester, Grant, Fitzgerald, Clancy, Connor, Kelley of Ward 5, Manchester, Laughlin, McNulty, Barry

of Manchester, Currier of Manchester, Murphy of Ward 6, Manchester, Sibley, Smith of Manchester, Foye, Healey, Quinn, Sullivan of Manchester, Bouchard, Donnelly, McLaughlin, Morin, Conboy, Rourke, LeClerc, Craig, Gowitzke, McDonnell, Roukey, Gauthier of Ward 12, Manchester, St. Germain, Gagnon, Gauthier of Ward 13, Manchester, Lovejoy, Ordway, Robinson of Milford, Wheeler of Nashua, Burns of Nashua, Doyle, Sylvestre, Girouard, Carleton of Pelham.

CHESHIRE COUNTY.—Dewing, Blake, Bemis, O'Connor, Duncan, Callahan, Jones of Keene, Reed, Empey, King of Keene, Landers, Tuttle, Sawtelle, Ball, King of Walpole, Burt, Kellom.

SULLIVAN COUNTY.—Brooks, Etsler, Nichols, Tenney of Claremont, Wolcott, Franklyn, Farnsworth.

GRAFTON COUNTY.—Rudd, Stevens of Landaff, Waterman.

COOS COUNTY.—Hayward, Keleher, Larue, Pierce of Berlin, Larochele, Young of Berlin, Blais of Berlin, Marks, Smith of Berlin, Sims, McHugh, Mortensen, Jacobs.

Mr. Sanborn of Salisbury changed his vote from yes to no.

NAYS, 158.

ROCKINGHAM COUNTY.—Pike, Tenney of Chester, MacMurphy, Randall, Bartlett of Kingston, Caldwell, Dowdell, Trafton, Casey, Cronin, Kane, Felch.

STRAFFORD COUNTY.—Roberts of Dover, Fogg, Smith of Farmington, Comings, Stevens of Milton, Meader, Gelinas, Davis of Rollinsford, Girard, Gagne, Houle of Somersworth, Preston.

BELKNAP COUNTY.—Jones of Alton, Sanborn of Center Harbor, Weeks of Gilford, Dunlap, Normandin, Avery, Roberts of Meredith, Gordon of New Hampton.

CARROLL COUNTY.—Hamlin, Willey, Chandler, Currier of Conway, Ela, Fulton, Philbrick, Chick, Blanchard, Hoyt of Sandwich, Fall, Thomas, Lord of Wakefield, Hale.

MERRIMACK COUNTY.—Rollins, Sanborn of Bradford, Tallman, Rolfe, Robinson of Concord, Phillips, Danforth,

Newton of Concord, Martin of Concord, Carleton of Concord, Lee, Gannon, Fowler, Mahan, Judkins, Gilchrist, Walker of Hopkinton, Farmer of Newbury, Cutting, Cheney of Pittsfield, Jackson, Sanborn of Salisbury, Wells of Sutton, Wheelwright, Seavey.

HILLSBOROUGH COUNTY.—Flint, Clark of Bedford, Davis of Goffstown, Russell, Childs, Putnam, Cox of Manchester, Hartford, McBride, Blais of Manchester, Duval, Pentland, Boilard, Dube, Trombly, Barry of Nashua, Hallisey, Rigney, Christie, Bass, Tobey, Eastman of Weare.

CHESHIRE COUNTY.—Spring, Garfield, Hogan, Hopkins of Keene, Mason, Barrett of Keene, Gates, Davis of Stoddard, Wells of Walpole.

SULLIVAN COUNTY.—Clark of Acworth, Barry of Charlestown, Barney, Pierce of Claremont, Rossiter, Barton, Thornton, Glynn, Lewis, Robinson of Newport, Colby, Gardner, Osborne, Walker of Unity.

GRAFTON COUNTY.—Hardy of Ashland, Southard, Parker, Collins, Pulsifer of Campton, Webster, Ashley, Hill of Enfield, Chellis, Cross, Lang, Page, Pulsifer of Holderness, Eastman of Lebanon, Howard of Lebanon, McNamara, Ross, Price, MacLeod, Nourse, Elms, Converse, Chase, Sherwood, Kidder, Fadden, Cotton of Warren, Sawyer, Howard of Piermont.

COOS COUNTY.—Hutchins of Berlin, Young of Colebrook, Ferren, Pottle, McIntire, Nay, Rowden, Smith of Northumberland, Nutting, Watson, Hutchins of Stratford, Brown, Snow.

Mr. Mortenson of Gorham, offered the following amendment: Amend Section 1 of the bill by adding at the end thereof the following:

And *provided, further*, that no brook trout shall be taken from the streams of Coos County less than six inches in length.

Mr. Wright of Sanbornton, moved that the bill and proposed amendment be laid on the table, and on that question Mr. Lyford of Concord, called for a division.

A division was had with the following result:

For motion, 180.

Against motion, 119.

The bill and amendment were laid on the table.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 295 (In New Draft), An act to fix the salaries of registers of deeds and registers of probate, reported the same with the following resolution:

*Resolved*, That it be referred to the Committee on Judiciary.

The report was accepted and the bill referred to the Committee on Judiciary.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 9, Joint resolution for the construction of a highway in the towns of Dummer and Milan, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Joint Resolution No. 63, Joint resolution in favor of George W. Fadden, reported the same with the following amendment, and the recommendation that the Joint resolution as amended ought to pass.

Amend by striking out in lines 1 and 2 the words "fifty-nine dollars and sixty cents (\$59.60)" and inserting in place thereof the words "fifty dollars" so that said resolution, as amended, shall read as follows:

That the sum of fifty dollars be, and the same hereby is allowed to George W. Fadden of Thornton for necessary expenses incurred in maintaining his right to a seat in the House and that the Governor be and hereby is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

The report was accepted and the amendment adopted.

On motion of Mr. Barry of Nashua the rules were sus-

pendent, the Joint resolution read a third time, passed, and sent to the Senate for concurrence.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 64, Joint resolution in favor of Burt J. Carleton, reported the same with the following amendment, and the recommendation that the Joint resolution as amended ought to pass.

Amend by striking out the word "seventy-five" and inserting in place thereof the word "fifty" so that said resolution, as amended shall read as follows:

That the sum of fifty dollars be and the same is hereby allowed to Burt J. Carleton, of Concord, for necessary expenses incurred in maintaining his right to a seat in this House, and that the Governor be and hereby is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

The report was accepted and the amendment adopted.

On motion of Mr. Barry of Nashua, the rules were suspended, the Joint resolution read a third time, passed and sent to the Senate for concurrence.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 68, Joint resolution to assist the Cities of Portsmouth and Dover in celebrating the Three Hundredth Anniversary of the first settlement of the State, reported the same with the following amendment, and the recommendation that the Joint resolution as amended ought to pass.

Amend by striking out the word "ten" in line 1 and inserting in place thereof the word "five, so that said resolution as amended shall read as follows:

That the sum of five thousand dollars be and the same is hereby appropriated out of any money in the treasury, not otherwise appropriated, to assist the City of Portsmouth in the tercentenary celebration of the first settlement of the State, and that a like sum be and the same is hereby appropriated to assist the City of Dover in the same celebration, and that the further sum of fifty dollars be hereby ap-

propriated for the payment of expenses incurred by the Tercentenary Commission.

The report was accepted.

Mr. King of Walpole, moved that the bill and proposed amendment be indefinitely postponed.

The vote was against the postponement.

Mr. King of Walpole called for a division, which being held, was manifestly against the postponement.

The amendment was then adopted.

On motion of Mr. Lyford of Concord, the rules were suspended, the Joint resolution read a third time, passed and sent to the Senate for concurrence.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 19, Joint resolution providing for a laboratory in the City of Manchester, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Appropriations, to whom was referred House Joint Resolution No. 19, Joint resolution providing for a laboratory in the City of Manchester, reported the same with the recommendation that the Joint resolution ought to pass.

ALEX J. McDONNELL.

Mr. McDonnell of Manchester, moved to substitute the report of the minority for that of the majority.

The vote was against the substitution, and the resolution of the committee adopted.

Mr. Colby of Plainfield, for the Committee on Engrossed Bills, reported that the Committee has examined and found correctly engrossed the following entitled bills:

Senate Bill No. 33, An act relative to the official bonds of the treasurers of counties.

Senate Bill No. 38, An act with reference to Lyman bridge in the Town of Monroe.

House Bill No. 166, An act in relation to the construction of curbing along the streets in the City of Manchester.

House Bill No. 191, An act in amendment of the laws relating to legacy and succession taxes.

House Bill No. 192, An act relating to the tax upon the transfer at death of the personal property of non-residents.

House Bill No. 238, An act enlarging the powers of Moore's Falls Corporation.

House Bill No. 245, An act for the partial exemption of certain property to be used for hotel purposes in the City of Manchester.

House Bill No. 348, An act to amend the Charter of the Concord Masonic Association.

House Bill No. 372, An act relating to the rates of inheritance and succession taxes.

House Bill No. 377, An act providing for the propounding and prosecution of a claim by and in the name of the State of New Hampshire against the Federal Government for the recovery of taxes heretofore illegally assessed against citizens and residents of New Hampshire and paid by them.

House Bill No. 387, An act to authorize the conveyance of the interest of the State in a certain parcel of land in the Town of Haverhill to said town.

The report was accepted.

#### BILL TAKEN FROM THE TABLE.

The following bill was taken from the table on motion of Mr. Lyford of Concord: Senate Bill No. 7 (House New Draft in Senate New Draft), An act in relation to the foreclosure of power of sale mortgages of real estate, with the following amendment offered by the Committee on Engrossed Bills, and the recommendation of the Committee that the bill as amended ought to pass:

Amend Section 1 of said bill by striking out the first sixteen lines thereof and inserting in place thereof the following:

SECTION 1. Amend Section 3, Chapter 19, Laws of 1899, as amended by Section 1, Chapter 2, Laws of 1905, by striking out the whole thereof and inserting in place thereof the following:



On motion of Mr. Lyford the House voted to adopt the amendment offered by the Committee on Engrossed Bills.

The bill was sent to the Senate for concurrence in the amendment.

On motion of Mr. Lyford of Concord, the House voted to take a recess of one hour.

(After recess.)

#### SENATE BILLS CONSIDERED.

The following Senate Bill was read a first and second time, and referred to the Committee on Judiciary:

Senate Bill No. 29 (In New Draft), An act in amendment of Section 3, Chapter 187 of the Session Laws for the year 1913, relating to the registration of Foreign Corporations.

The following Senate Bill was read a first and second time:

Senate Bill No. 41, An act to regulate the supply of fuel.

On motion of Mr. Lyford of Concord, the rules were suspended, reference to a Committee dispensed with, the bill read a third time by title, passed, and sent to the Secretary of State to be engrossed.

#### BILL TAKEN FROM THE TABLE.

On motion of Mr. Wright of Sanbornton:

House Bill No. 388 (New Draft), An act amending Subdivision (a), Section 28, Laws of 1915, as amended by Section 13, Chapter 184, Laws of 1917, as amended by Section 14, Chapter 140 and Section 1, Chapter 80, Laws of 1921, relating to brook trout, was taken from the table and made a part of the regular order for to-morrow.

#### CHANGE OF ORDER.

On motion of Mr. Lyford of Concord the following matters in the regular order to-day were passed, and made a part of the regular order for to-morrow:

House Joint Resolution No. 3, Joint resolution providing for the erection of a dormitory at the Keene Normal School, and report of committee, inexpedient to legislate.

House Bill No. 216, An act in relation to distribution of

railroad taxes, majority report, ought to pass with amendment, minority, inexpedient to legislate, and motion of Mr. Wood of Portsmouth to substitute.

House Bill No. 27 (New Draft), An act relating to the registration of motor vehicles. Question on motion of Mr. Hoyt of Francestown, to indefinitely postpone, and his call for a division.

House Bill No. 9 (New Draft), An act to establish a legal rate of interest, with proposed amendments.

House Bill No. 373, An act to exempt from taxation the Women's Realty Company of Portsmouth, the question being on the motion of Mr. Cronin of Portsmouth to reconsider the vote by which the bill was passed.

#### BILLS INTRODUCED.

On motion of Mr. Stevens of Landaff, the rules were suspended for the introduction of the following unadvertised committee reports:

Mr. Stevens of Landaff for the Committee on Ways and Means reported the following bill, House Bill No. 405, An act relating to the taxation of guaranty savings banks, trust companies and similar corporations, with the recommendation that the bill ought to pass.

The undersigned, a minority of the Committee on Ways and Means, which committee had reported House Bill No. 405, An act relating to the taxation of guaranty savings banks, trust companies and similar corporations, and being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

F. W. ORDWAY,  
J. C. FARMER,  
E. J. ROSSITER,  
C. W. TOBEY.

Mr. Stevens of Landaff for the Committee on Ways and Means reported the following bill, House Bill No. 406, An act in amendment of an act relating to the taxation of Na-

tional Bank Stock approved March 29, 1923, with the recommendation that the bill ought to pass.

The undersigned, a minority of the Committee on Ways and Means, which committee had reported House Bill No. 406, An act in amendment of an act relating to the taxation of National Bank Stock approved March 29, 1923, and being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

F. W. ORDWAY,  
J. C. FARMER,  
E. J. ROSSITER,  
C. W. TOBEY.

Severally read a first and second time, tabled to be printed, and, on motion of Mr. Stevens of Landaff, placed in the regular order of committee reports for to-morrow, under a suspension of the rules.

#### CHANGE OF ORDER.

On motion of Mr. Lyford of Concord, the following matters in the regular order of today were passed and placed in the regular order for tomorrow:

House Bill No. 216, An act in relation to distribution of railroad taxes, majority report, ought to pass with amendment; minority, inexpedient to legislate, and motion of Mr. Wood to substitute.

House Bill No. 27 (New Draft), An act relating to the registration of motor vehicles. Question on motion of Mr. Hoyt of Francestown, to indefinitely postpone, and his call for a division, and proposed amendment of Mr. Martin of Concord.

House Bill No. 373, An act to exempt from taxation the Woman's Realty Co., of Portsmouth, the question on motion of Mr. Cronin of Portsmouth, to reconsider vote of passage.

House Bill No. 9 (New Draft), An act to establish a legal rate of interest, with proposed amendments.

House Joint Resolution No. 3, Joint resolution providing

for the erection of a dormitory at the Keene Normal School, report of Committee inexpedient to legislate.

MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate concurs with the House of Representatives in its amendments to the following entitled bills:

Senate Bill No. 10, An act in amendment of Chapter 56 of the Public Statutes as amended by Chapter 12 of the Laws of 1921, relating to the exemption from taxation of veterans of the War of the Rebellion, the Spanish-American War, the Philippine Insurrection, the World War, and their wives and widows.

Senate Bill No. 17, An act referring to the salary of the State Agent of the Blind.

The message further announced that the Senate has voted to adopt the following report of the Committee of Conference on House Bill No. 252, An act in amendment of Section 4, Chapter 76, Laws of 1895, relating to the protection from pollution of sources of water used for domestic purposes; in the adoption of which report it asks the concurrence of the House of Representatives:

REPORT OF THE COMMITTEE OF CONFERENCE.

The Committee of Conference appointed to consider House Bill No. 252, An act in amendment of Section 4, Chapter 76, Laws of 1895, relating to the protection from pollution of sources of water used for domestic purposes, having considered the same, recommended that the Senate recede from its position in adopting the amendment to Section 1 of said bill.

W. A. HODGDON,  
H. FOSTER ELDER,  
*Senate Conferees.*

ROBERT M. WRIGHT,  
NATHANIEL E. MARTIN,  
EMMA L. BARTLETT,  
*House Conferees.*

On motion of Mr. Wright of Sanbornton, it was voted that the House accept the report.

On motion of Mr. Martin of Concord, at 3.45 the House adjourned until 10 o'clock to-morrow.

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### THURSDAY, MAY 3, 1923.

The House met at 10 o'clock.

Prayer was offered by the chaplain.

#### LEAVES OF ABSENCE.

Messrs. Quinn of Manchester, and Franklyn of Cornish were granted leave of absence for the day on account of business.

#### COMMITTEE REPORTS.

Mr. Kempton of Laconia, for the Special Committee of the Delegation from Laconia, to whom was referred House Bill No. 198, An act to amend Chapter 30, Laws 1915, as amended by Laws 1919, Chapter 105, and Chapter 106, Laws of 1921, entitled: An act establishing Municipal Courts", reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Larochelle of Berlin, for the Committee on Mileage, made the following report:

*Resolved*, That each member and officer of the Senate and House of Representatives be allowed the number of miles set opposite his name in the accompanying list and that the clerk be instructed to make the mileage roll in accordance therewith:

### HOUSE OF REPRESENTATIVES.

#### ROCKINGHAM COUNTY.

Ray Pike, Brentwood	136
George H. McDuffee, Candia	136
Walter P. Tenney, Chester	255
Charles H. Johnson, Danville	255

Wilbur H. White, Deerfield	340
Isaac Randall, Hampstead	85
Warren H. Hobbs, Hampton	306
Horace P. Blodgett, Kensington	119
Levi S. Bartlett, Kingston	85
Edward E. Kent, Londonderry	102
Elmer S. Pridham, New Castle	102
Andrew G. Littlefield, Newton	170
Joel W. Steward, Northwood	408
George E. Cox, Portsmouth	102
Irving W. Rand, Rye	170
Myron B. Felch, Seabrook	442

## STRAFFORD COUNTY.

Irving M. Locke, Barrington	272
Felix E. O'Neill, Dover	77
Stephen W. Roberts, Dover	153
Charles T. Ryan, Dover	85
Fred P. Comings, Lee	170
Samuel A. Lawrence, Middleton	102
Frank D. Stevens, Milton	170
Thomas H. Gotts, Rochester	102
Claudis E. Edgerly, Rochester	85
Adrian B. Preston, Strafford	170

## BELKNAP COUNTY.

Frank J. Holmes, Barnstead	238
Loui L. Sanborn, Center Harbor	204
Fred R. Weeks, Gilford	170
Ernest H. Goodwin, Gilmanton	204
Adelbert M. Gordon, New Hampton	272

## CARROLL COUNTY.

Charles Willey, Brookfield	119
Clarence Ela, Conway	408
Robert M. Fulton, Effingham	238
George I. Philbrick, Freedom	306
George A. Blanchard, Moultonborough	374

Charles B. Hoyt, Sandwich	544
Arthur S. Fall, Tamworth	153
Willie W. Thomas, Tuftonborough	238

## MERRIMACK COUNTY.

Joseph W. Sanborn, Bradford	102
William C. Tallman, Canterbury	170
George W. Phillips, Concord	102
Noah E. Lund, Danbury	85
Edgar R. Chaney, Hooksett	153
Benjamin J. LaSalle, Hooksett	306
Archie L. Hill, Loudon	374
James C. Farmer, Newbury	102
Joseph Cutting, New London	289
John O. Bellerose, Pembroke	238
George B. Sanborn, Salisbury	272
Harrington C. Wells, Sutton	143

## HILLSBOROUGH COUNTY.

Robert J. Ford, Amherst	85
Wyman K. Flint, Antrim	204
Charles H. Clark, Bedford	85
George M. Rockwood, Brookline	102
Leon E. Hoyt, Francestown	255
Frank E. Russell, Greenfield	85
Charles E. Hardy, Hollis	136
Harry B. Cilley, Manchester	94
John P. Cronan, Manchester	102
James E. Dodge, Manchester	102
John F. Kelley, Manchester	102
D. F. Bartlett, Manchester	85
Michael T. Burke, Manchester	85
William H. Barry, Manchester	77
Robert J. Murphy, Manchester	77
Frederick M. Smith, Manchester	136
Damis Bouchard, Manchester	85
Louis E. Gauthier, Manchester	85
Michael S. Donnelly, Manchester	85

William Leonard, Manchester	85
John McLaughlin, Manchester	77
Charles A. Pecor, Manchester	75
Edward E. Rajotte, Manchester	78
William B. Trombly, Nashua	102
David F. Sullivan, Nashua	102
John L. Spillane, Nashua	102
Edward Sullivan, Nashua	102
Henry M. Burns, Nashua	85
Robert J. Doyle, Nashua	102
John J. Lyons, Nashua	102
James B. Hallisey, Nashua	102
Charles B. Rigney, Nashua	102
Romuald A. Sylvestre, Nashua	102
Arthur Bilodeau, Nashua	102
Alfred F. Girouard, Nashua	102
Arthur Papachristos, Nashua	102
Arthur A. Pelletier, Nashua	119
Herbert M. Christie, New Boston	136
Robert B. Walker, New Ipswich	204
Asa A. Carleton, Pelham	340
Charles F. Eastman, Weare	136
Ephraim Weston, Hancock	170

## CHESHIRE COUNTY.

Frank Dewing, Alstead	340
Angelo M. Spring, Chesterfield	544
Archie R. Garfield, Dublin	136
Charles H. Blake, Gilsum	544
Wilder F. Gates, Keene	102
Fred G. Huntley, Marlow	663
Edward T. Davis, Stoddard	408
Samuel Ball, Surry	238
Perry W. Hurt, Westmoreland	136

## SULLIVAN COUNTY.

Almon E. Clark, Acworth	408
Frederick J. Franklyn, Cornish	306



Herbert D. Barton, Croydon	255
Dellivan D. Thornton, Grantham	374
Thomas F. Bluitte, Lempster	408
Earle W. Colby, Plainfield	170
William P. Gardner, Springfield	442
Leo L. Osborne, Sunapee	102
Elgin C. Farnsworth, Washington	476
Alfred T. Pierce, Claremont	85

## GRAFTON COUNTY.

Timothy B. Southard, Bath	85
Lebina H. Parker, Benton	408
Willard C. Pulsifer, Campton	136
Lynn S. Webster, Canaan*	153
Joseph W. Pulsifer, Holderness	85
Ora A. Mooney, Littleton	77
Willard R. Harris, Orford	119
Lyman R. Sherwood, Plymouth	102
George W. Fadden, Thornton	204
Herbert H. Ashley, Dorchester	153
S. A. Converse, Lyme	72

## COOS COUNTY.

Ellsworth D. Young, Colebrook*	1190
Clinton S. Ferren, Errol	1190
Bartholomew F. McHugh, Gorham	102
Alfred O. Mortenson, Gorham	102
John B. Nay, Milan	476
Willie J. Nutting, Pittsburg	272

## HOUSE EMPLOYEES.

James W. Pridham, New Castle	119
Bartholomew J. Hargreaves, Manchester	102
Randolph W. Branch, Manchester	77

\* Mileage was refunded by Messrs. Webster of Canaan and Young of Colebrook, they stating that it had been allowed them through error.

## SENATE.

Ralph E. Lufkin, Unity	289
Chester L. Lane, Swanzey	136
Clinton S. Osgood, Manchester	77
John S. Hurley, Manchester	77
Edgar J. Ham, Rochester	170
John F. Swasey, Brentwood	119
William A. Hodgdon, Portsmouth	85
Daniel J. Hagerty, Nashua	102

## SENATE EMPLOYEES.

Mrs. Bessie Callaghan, Manchester	136
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The report was accepted, and the resolution of the committee adopted.

## RESOLUTION PRESENTED.

Mr. Dodge of Manchester presented the following resolution:

*Whereas*, One of the most respected and beloved members of the House, Mr. Ezra M. Smith of Peterborough, has been called upon to part with his faithful homemaker and beloved wife, be it therefore

*Resolved*, That the tender sympathy of this House be extended to our bereaved member, and may the knowledge that our hearts bleed for our brother at this time of his great sorrow serve of some solace and comfort to him.

The resolution was adopted, and the clerk instructed to send a copy of the same to Mr. Smith.

## COMMITTEE REPORTS.

On motion of Mr. Martin of Concord it was voted that the rules be so far suspended as to allow the introduction of certain unadvertised reports from the Committee on Judiciary.

Pursuant to that vote:

Mr. Cronin of Portsmouth for the Committee on Judiciary, to whom was referred Senate Bill No. 35, An act to

establish water works in the Town of Hooksett or any village districts thereof, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Add at the end of Section 9 of said act the following:

This act shall not be construed to authorize the Town of Hooksett to issue town bonds or notes for any village district which may be established in said town, but said districts may bond or issue notes which cover their own district.

The report was accepted and the amendment adopted.

On motion of Mr. Martin of Concord, the rules were suspended, the bill read a third time by its title, passed, and sent to the Senate for concurrence in the amendment.

Mr. Martin of Concord, for the Committee on Judiciary, to whom was referred Senate Bill No. 29 (In New Draft), An act in amendment of Section 3, Chapter 187, of the Session Laws for the year 1913, relating to the registration of foreign corporations, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. Martin of Concord, the rules were suspended, the bill read a third time by its title, passed, and sent to the Secretary of State to be engrossed.

Mr. Hutchins of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 295 (New Draft), An act to fix the salaries of registers of deeds and registers of probate, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Add at the end of Section 3 of said new draft the following:

For clerk hire and office expenses for each registry of deeds there shall be appropriated the following sums:

Belknap County	\$600.00
Carroll County	450.00
Cheshire County	600.00
Rockingham County	1,000.00
Sullivan County	800.00
Grafton County	2,000.00

Hillsborough County	\$3,150.00
Merrimack County	1,600.00
Strafford County	600.00
Coos County	800.00

For clerk hire and office expenses for each registry of probate there shall be appropriated the following sums:

Belknap County	\$500.00
Carroll County	400.00
Cheshire County	500.00
Rockingham County	1,200.00
Sullivan County	800.00
Grafton County	1,200.00
Hillsborough County	2,500.00
Merrimack County	900.00
Strafford County	300.00
Coos County	900.00

The report was accepted, the amendment adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Landers of Keene for the Committee on Judiciary, to whom was referred House Bill No. 176, An act in amendment of Chapter 163 of the Laws of 1911, entitled: An act in relation to employers' liability and workmen's compensation, reported the same in new draft with the recommendation that the bill in its new draft ought to pass.

Read a first and second time by title under a suspension of the rules on motion of Mr. Fernald of Dover.

Mr. Normandin of Laconia moved to so far suspend the rules as to allow the bill to be at this time put on its third reading by title and passage.

On the question of substitution, discussion ensued.

Mr. Normandin of Laconia moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being: Shall the rules be suspended?, the vote was in the affirmative.

The bill was read a third time, passed, and ordered to the Senate for concurrence.

On motion of Mr. Lord of Manchester, the rules were so far suspended as to allow the introduction of certain unadvertised reports by the Committee on Appropriations.

Pursuant to that vote:

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 344, An act in regard to the maintenance of state aid, trunk line and state roads, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title by inserting after the word "the" the words "construction and"; further amend by inserting after the word "line" the following "cross state" so that said title as amended shall read as follows:

An act in regard to the construction and maintenance of state aid, trunk line, cross state, and state roads.

Amend Section 1, by adding after the word "fines" in line 16 the following: "and the revenue received from the tax levied on motor fuel used on the highways"; further amend by inserting after the word "year" in line 19 the following: "and such further sums as they shall designate"; further amend by inserting after the word "line" in said line 19, the following: "state aid, state"; further amending by striking out the word "state" in line 21, and further amending by adding at the end of said section the following "mentioned in sub-division 1", so said section, as amended, shall read as follows:

SECTION 1. All highways or bridges within any city, town or place, improved in whole or in part with State Funds as per Chapter 35, Laws of 1905, Chapter 155, Laws of 1909, Chapter 55, Laws of 1911, Chapters 158, 162, 168, Laws of 1913, Chapters 50, 51, 93, Laws of 1915, Chapter 224, Laws of 1917, Chapter 118, Laws of 1919, Chapter 155, Laws of 1921 (meaning hereby to include all highways heretofore designated and to be hereafter designated) shall be maintained by the city, town or place within which they

are located at the expense of such city, town or place, and to the satisfaction of the Governor and Council; and in case any city, town or place, shall neglect to make repairs ordered by the Governor and Council, such repairs shall be made under the direction of the Governor and Council, at the expense of the State and the cost thereof shall be added to the State Tax for such city, town or place, for the next year; except that assistance shall be rendered by the Governor and Council to such cities, towns and places by the application therefor of the net revenue from automobile fees and fines and the revenue received from the tax levied on motor fuel used on the highways with the following exceptions:

1. With the approval of the Governor and Council \$125,000 per year and such further sums as they shall designate may be used for the construction of the trunk line, state aid, state and cross state roads.

2. Such sums as may be necessary for the maintenance of the roads mentioned in sub-division 1.

The report was accepted and the amendment adopted.

Mr. Barry of Nashua, offered the following amendment:

"Further amend the bill as amended by striking out the word "Tax" in the 17th line, and substituting therefor the word 'toll'."

The amendment was adopted.

On motion of Mr. Fernald of Dover, the rules were suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announces that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and Joint resolutions, sent up from the House of Representatives:

House Joint Resolution No. 30, Joint resolution in Aid of the Spanish-War Veterans.

House Joint Resolution No. 46, Joint resolution for improvements at New Hampshire State Sanatorium.

House Joint Resolution No. 51, Joint resolution in favor of the Margaret Pillsbury General Hospital and Dr. James W. Jameson.

House Joint Resolution No. 56, Joint resolution in favor of Henry Giddis.

House Joint Resolution No. 59, Joint resolution for repairs on State House and care of trees in yard.

House Joint Resolution No. 60, Joint resolution providing for the deficiency of the New Hampshire School for feeble-minded children.

House Joint resolution No. 67, Joint resolution for the repair of the Webster Birthplace in Franklin.

House Bill No. 50 (In New Draft), An act in amendment of Section 4, Chapter 168, Laws of 1913, relating to the State Highway from Merrimack Valley Road to East Side Route.

House Bill No. 360, An act relative to the law of the road.

House Bill No. 23 (In New Draft), An act regulating the practice of chaining wheels on hills.

House Bill No. 267, An act to amend Chapter 38, Laws of 1913, "An act for the bi-weekly payment for all State employees except salaried officers."

House Bill No. 14 (In New Draft, in Senate New Draft), An act in amendment of Chapter 80 of the Laws of 1907, relating to marriages.

House Bill No. 290 (In New Draft), An act in amendment of Section 23, Chapter 133, Laws of 1915, and Section 20, Chapter 133, Laws of 1915 in relation to pheasants.

House Bill No. 158 (New Draft), An act in amendment of Sections 4 and 5 of Chapter 65 of the Public Statutes and all amendments thereto, relating to the taxation of savings banks.

House Bill No. 350, An act in amendment of Section 1, Chapter 45, Laws of 1905, as amended by Chapter 25, Laws of 1915, entitled: An act for the protection of savings banks and other savings institutions."

House Bill No. 375, An act relating to bonds to be furnished by officers of savings banks.

House Bill No. 400, An act authorizing the Town of Alton

to vote to exempt from local taxes a proposed dam on Merrymeeting River.

House Bill No. 403, An act to authorize a proposed Village Sewer District in the Town of Derry to borrow money and to issue bonds.

House Bill No. 359, An act in relation to standard time.

The message further announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bills and Joint resolutions, sent up from the House of Representatives:

House Bill No. 211, An act to authorize the improvement of water powers in this State by the construction and management of storage reservoirs.

House Bill No. 242, An act relating to the vaccination of school children.

House Bill No. 251, An act in amendment of Sub-division (d) Section 40, Chapter 133, Laws of 1915, relating to Fish and Game.

House Bill No. 281 (New Title and New Draft), An act in amendment of Sub-division (a), Section 14, Chapter 133, Laws of 1915, as amended by Section 5, Chapter 184, Laws of 1917, as amended by Section 3, Chapter 152, Laws of 1919, as amended by Section 1, Chapter 141, Laws of 1921, relating to open season on deer.

House Bill No. 327, An act authorizing the appointment of a State fuel administrator.

House Bill No. 333, An act in amendment of Chapter 182, Section 22 of the Public Statutes, relating to the proving of wills.

House Bill No. 382, An act in amendment of Chapter 147, Laws of 1915, relating to temporary absences of patients from the State Hospital.

House Bill No. 391, An act relative to the inspection and sale of coal.

House Bill No. 392, An act in amendment of Chapter 73 of the Laws of 1921, "An act to regulate and limit the investments of savings banks."

The message further announced that the Senate had



passed the following entitled bill and Joint resolution in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 39, An act in amendment of Section 16, Chapter 92, Laws of 1919, as amended by Chapter 97, Laws of 1921, said act relating to business corporations.

Senate Joint Resolution No. 4, Joint resolution in favor of Euclide and Marie Halde, parents of Wildred X. Halde, formerly private Battery "B", 172nd Field Artillery, New Hampshire National Guard, killed September 23, 1922, at Concord, New Hampshire.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 367, An act in amendment of the Charter of the New Hampshire Odd Fellows' Home.

Amend the title of said bill by striking out the whole thereof and inserting in place thereof the following title:

"An act in amendment of the Charter of the New Hampshire Odd Fellows' Home."

Amend Section 1 of said act by striking out the whole thereof down to and including the word "follows" in the eighth line and inserting in place thereof the following:

"Amend Section 2, Chapter 208, Laws of 1883, as amended by Section 1, Chapter 219, Laws of 1903, so that said section as amended shall read as follows:"

House Bill No. 26, An act to control possession, sale and use of pistols and revolvers.

Amend clause 3 (a) of Section 10 of said bill by striking out the whole thereof and substituting the following:

"(a) To a purchaser not personally known to the seller or who does not present clear evidence of his identity; nor"

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following bills:

Senate Bill No. 34 (In New Draft and New Title), An act to prohibit the sale and manufacture of inflammable stove polishes.

Amend Section 3 of said bill by striking out the whole thereof and substituting the following:

SECT. 3. So much of Chapter 101, Laws of 1921, as is inconsistent herewith and all other acts and parts of acts inconsistent herewith are hereby repealed and this act shall take effect upon its passage.

Senate Bill No. 7 (In House New Draft, in Senate New Draft), An act in relation to the foreclosure of power of sale mortgages of real estate.

Amend Section 1 of said bill by striking out the first sixteen lines thereof and inserting in place thereof the following:

SECTION 1. Amend Section 3, Chapter 19, Laws of 1899, as amended by Section 1, Chapter 3, Laws of 1905, by striking out the whole thereof and inserting in place thereof the following:

The message further announced that the Senate has voted to concur with the House of Representatives in its amendment to the following entitled bill:

Senate Bill No. 35, An act to establish water-works in the Town of Hooksett or any village district thereof.

#### COMMITTEE REPORTS CONTINUED.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 381, An act relative to the disposal of highway funds, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

On motion of Mr. Lyford of Concord, the rules were so far suspended as to allow an unadvertised report by the Committee on Judiciary.

Pursuant to that vote, Mr. Martin of Concord, for the Committee on Judiciary, reported the following Joint resolution, House Joint Resolution No. 70, Joint resolution

relating to the calling of the Constitutional Convention, with the recommendation that the Joint resolution ought to pass.

Read a first and second time.

On motion of Mr. Lyford of Concord, the rules were suspended, the printing of the Joint resolution dispensed with and the Joint resolution ordered to a third reading. On motion of the same gentleman the rules were further suspended, the Joint resolution read a third time by its title, passed, and sent to the Senate for concurrence.

Pursuant to the vote of the preceding day, the following committee reports were presented:

Mr. Stevens of Landaff for the Committee on Ways and Means, reported the following bill, House Bill No. 406, An act in amendment of an act relating to the taxation of National Bank stock approved March 29, 1923, with the recommendation that the bill ought to pass.

The undersigned, a minority of the Committee on Ways and Means, which has reported the following bill, House Bill No. 406, An act in amendment of an act relating to the taxation of National Bank stock approved March 29, 1923, and being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

F. W. ORDWAY,  
J. C. FARMER,  
E. J. ROSSITER,  
C. W. TOBEY,

Mr. Rossiter of Claremont moved that the report of the minority be substituted for that of the majority, and on that motion.

(Discussion ensued.)

A vote was against the substitution, and the majority report accepted.

On motion of Mr. Stevens of Landaff the rules were suspended, and the bill read a third time by its title.

The question being: Shall the bill pass?, discussion ensued.  
Mr. Hoyt of Sandwich, moved the previous question.

The question being: Shall the main question now be put?,  
the vote was in the affirmative.

The question being: Shall the bill pass?. Mr. Tenney of  
Claremont, called for a division, and a division was had  
with the following result:

For passage, 235.

Against passage, 46.

The bill passed and was ordered to the Senate for concurrence.

Mr. Stevens of Landaff, for the Committee on Ways and Means, reported the following House Bill No. 405, An act relating to the taxation of guaranty savings banks, trust companies and similar corporations, with the recommendation that the bill ought to pass.

The undersigned, a minority of Committee on Ways and Means, which has reported the following House Bill No. 405, An act relating to the taxation of guaranty savings banks, trust companies and similar corporations, and being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

F. W. ORDWAY,  
J. C. FARMER,  
E. J. ROSSITER,  
C. W. TOBEY.

The majority report was accepted.

The question being: Shall the bill be read a third time?, discussion ensued.

Mr. Hutchins of Berlin, moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being: Shall the bill be read a third time?, the vote was in the affirmative.

On motion of Mr. Stevens of Landaff, the rules were suspended, the bill read a third time by its title, passed, and sent to the Senate for concurrence.

## REGULAR ORDER.

On motion of Mr. Landers of Keene, House Joint Resolution No. 3, Joint resolution providing for the erection of a dormitory at the Keene Normal School, and the report of the Committee on Appropriations, inexpedient to legislate, was taken up, under a suspension of the rules.

The question being on the adoption of the resolution of the Committee, discussion ensued.

Mr. Tobey of Temple, moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The main question being: Shall the resolution of the Committee be adopted?, Mr. Nourse of Littleton called for a division.

A division was had with the following result:

For adoption, 86.

Against adoption, 195.

The Joint resolution was ordered to a third reading.

On motion of Mr. Wright of Sanbornton, the rules were suspended, the Joint resolution read a third time, passed, and sent to the Senate for concurrence.

House Bill No. 27 (New Draft), An act relating to the registration of motor vehicles, the question being on motion of Mr. Hoyt of Francestown, to indefinitely postpone, and his call for a division, with amendment offered by Mr. Martin of Concord, was taken up.

The question being on the postponement, discussion ensued.

Mr. Wheeler of Nashua, moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being on the postponement, the vote was for the postponement.

On motion of Mr. Lyford of Concord, it was voted that the House take a recess of one hour.

(After recess.)

House Bill No. 373, An act to exempt from taxation the Women's Realty Company of Portsmouth, the question be-

ing on the motion of Mr. Cronin of Portsmouth, to reconsider the vote by which the bill was passed, was taken up.

On the motion of Mr. Cronin of Portsmouth, discussion ensued.

Mr. Fernald of Dover, moved the previous question.

The question being: Shall the main question now be put?, the vote was in the affirmative.

The question being on the reconsideration, Mr. Dowdell of Portsmouth, called for a division, and a division was had, and it appearing that the vote was insufficient under the rules, the matter was placed in unfinished business.

#### MESSAGE, FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 28, An act for the taxing of income derived from intangibles.

Amend Section 23 by adding at the end thereof the following:

“If the tax provided for in the preceding sections shall be held invalid because levied at the average rate of taxation throughout the State, such taxes as have been assessed within one year and all taxes subsequently levied hereunder shall be levied at the rate applied in the taxation of other property in the taxing district in which the respective taxpayers reside.”

Further amend the bill by adding at the end of Section 23, as amended, the following:

The tax commission may, at any time, reserve, certify and transfer to the Supreme Court for decision any question of law which may arise in connection with the administration of this act. Such reserved and certified case may be entered in the Supreme Court at any time.

House Bill No. 218 (In New Draft and New Title), An

act to provide for a road toll and to amend fees on motor vehicles.

Amend the title of said bill by striking out the whole thereof and substituting the following title:

An act to provide for a road toll and to amend Laws of 1921, Chapter 119, Section 25, relative to license fees on motor vehicles.

Amend Section 4 of said bill by adding after the word "gallon" in the tenth line thereof the following: from July 1, 1923 to January 1, 1924, and two (2) cents thereafter. So that said section as amended shall read as follows:

SECT. 4. Every distributor shall on or before the fifteenth day of each month render a report to the Commissioner of Motor Vehicles, stating the number of gallons of such fuel sold in the State by him during the preceding calendar month on forms to be furnished by said Commissioner of Motor Vehicles; and said report shall contain such other information as the Commissioner of Motor Vehicles shall prescribe. On or before the first day of the calendar month succeeding the filing of said report such distributor shall pay to the State treasurer a road toll of one (1) cent per gallon from July 1, 1923 to January 1, 1924, and two (2) cents thereafter, upon each gallon so reported, the same being collected by the distributor from the dealer and by the dealer from the consumer. On or before the first day of each calendar month, the Commissioner of Motor Vehicles shall transmit to the said State treasurer such information as shall show all road tolls due from each distributor under the provisions of this act.

Amend Section 5 of said bill by adding after the word "gallon" in the tenth line thereof the following: from July 1, 1923 to January 1, 1924, and two (2) cents thereafter. So that said section as amended shall read as follows:

SECT. 5. Whenever any person shall purchase any such fuels for any purpose other than for the propulsion of motor vehicles upon highways, he may within six (6) months after the date of said purchase present to the State treasurer on blanks furnished by the State treasurer a statement under

oath as to the number of gallons used for such other purposes and the name of the person from whom purchased; and the State treasurer upon satisfying himself that said fuel was actually used for such other purposes, shall refund the road toll of one (1) cent per gallon from July 1, 1923 to January 1, 1924, and two (2) cents thereafter, to said purchaser.

Amend Section 11 of said bill by striking out the whole thereof and substituting in place thereof the following:

SECT. 11. Strike out Sub-divisions (d) (e) (f) (g) (h) (i) (l) and (n) of Section 25 of Chapter 119, Laws of 1921.

Insert in place of Sub-division (c) the following:

(c) For the registration of each motor vehicle, including trailers and semi-trailers equipped with pneumatic tires, except motor cycles and motor cycle sidecars, the following rates based on the gross weight of the vehicle and load: All vehicles and load not exceeding four thousand (4,000) pounds, forty-five (45) cents per hundred (100) pounds; exceeding four thousand (4,000) pounds and not exceeding six thousand (6,000) pounds, fifty-five (55) cents per hundred (100) pounds; exceeding six thousand (6,000) pounds and not exceeding eight thousand (8,000) pounds, sixty (60) cents per hundred (100) pounds; exceeding eight thousand (8,000) pounds, seventy (70) cents per hundred (100) pounds. For all vehicles equipped with hard rubber tires the sum of twenty (20) cents per hundred (100) pounds shall be added to the above rates. For all vehicles equipped with iron, steel or other hard tires the sum of forty (40) cents per hundred (100) pounds shall be added to the above rates. Provided that the minimum fee as provided in this section shall be ten dollars (\$10) for the passenger vehicles and fifteen dollars (\$15) for trucks. Tractors used for agricultural purposes only and tractors used only on snow shall pay one-tenth of the above rates.

Reletter Sub-divisions (j) and (k) to read (d) and (e) respectively.

Reletter Sub-division (l) to read (f) and substitute for such Sub-division the following:



(f) For the registration of motor vehicles owned by or under the control of the manufacturer or dealer in motor vehicles, fifty dollars (\$50).

Reletter Sub-division (m) to read (g).

Reletter Sub-division (n) to read (h) and substitute for such Sub-division the following:

(h) For every additional number plate furnished to replace such as have been lost or mutilated or which are illegible, one dollar (\$1); and for every additional pair of number plates furnished to a manufacturer or dealer in motor vehicles other than motor cycles whose business requires more than three pairs of such plates, eight dollars (\$8). For each set of temporary number plates furnished to a manufacturer or dealer in motor vehicles, twenty cents (20c); and for every additional pair of number plates furnished to a manufacturer or dealer in motor cycles whose business requires more than three pairs of such plates, two dollars (\$2).

Reletter Sub-divisions (o) (p) (q) (r) and (s) to read (i) (j) (k) (l) and (m) respectively.

Amend Section 12 of said bill by striking out in the third and fourth lines thereof the words "thirty (30) days after the passage of this act" and inserting the words "July 1, 1923," and by adding at the end of said section the following:

"Should the provisions of this act relative to the collection of a road toll be declared inoperative, the Sub-sections of Section 25, Chapter 119, Laws of 1921, repealed hereby, shall be deemed to be in full force and effect."

#### SENATE AMENDMENT ADOPTED.

On motion of Mr. Stevens of Landaff, the House voted to concur with the Senate in the amendments adopted by the Senate to House Bill No. 218 (In New Draft and Senate New Title), An act to provide for a road toll and to amend Laws of 1921, Chapter 119, Section 25, relative to license fees on motor vehicles, and the bill was sent to the Secretary of State to be engrossed.

## COMMITTEE REPORTS.

On motion of Mr. Lord of Manchester it was voted that the rules be so far suspended as to allow certain unadvertised committee reports to be presented.

On motion of Mr. Lyford of Concord it was voted that the rules be so far suspended as to allow the reports of the Committee on Appropriations on money or revenue bills the preference.

Mr. Lord of Manchester for the Committee on Appropriations, to whom was referred House Bill No. 295 (In New Draft), An act to fix the salaries of Registers of Deeds and Registers of Probate, reported the same with the recommendation that the bill be referred to the next legislature.

The report was accepted and the recommendation of the committee adopted.

Mr. Lord of Manchester for the Committee on Appropriations, reported the following entitled bill, House Bill No. 407, An act providing for appropriations for certain expenses of the State for the year ending June 30, 1925, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Lyford of Concord, rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

Mr. Lord of Manchester, for the Committee on Appropriations, reported the following entitled bill, House Bill No. 408, An act providing for appropriations for certain expenses of the State for the year ending June 30, 1924, with the recommendation that the bill ought to pass.

On motion of Mr. Lyford of Concord, the rules were suspended, the printing dispensed with, the bill read a first, second and third time by title, passed, and sent to the Senate for concurrence.

Mr. Lord of Manchester, for the Committee on Appropriations, to whom reported the following entitled bill,

House Bill No. 409, An act to provide for the assessment and collection of an annual state tax for the term of two years, with the recommendation that the bill ought to pass.

Read a first and second time.

On motion of Mr. Lyford of Concord, the rules were suspended, the printing of the bill dispensed with and the bill ordered to a third reading. On motion of the same gentleman the rules were further suspended, the bill read a third time by its title, passed and sent to the Senate for concurrence.

Mr. Lord of Manchester for the Committee on Appropriations, reported the following Joint Resolution, House Joint Resolution No. 71, Joint resolution in favor of James W. Pridham, Frederick W. Moore and others, with the recommendation that the Joint resolution ought to pass.

Read a first and second time.

Mr. Lord of Manchester offered the following amendment which was adopted:

Amend the Joint resolution by adding at the end thereof the following: that Fred W. Bickford, Governor's messenger, be allowed the sum of \$424.00.

On motion of Mr. Lyford of Concord the rules were suspended, the printing of the Joint resolution dispensed with and the Joint resolution ordered to a third reading. On motion of the same gentleman the rules were further suspended, the Joint resolution read a third time, passed and sent to the Senate for concurrence.

#### SENATE AMENDMENT ADOPTED.

On motion of Mr. Stevens of Landaff the House voted to concur with the amendments of the Senate to House Bill No. 28, An act for the taxing of incomes derived from intangibles, and the bill was sent to the Secretary of State to be engrossed.

At five o'clock the Speaker adjourned the House.

FRIDAY, MAY 4, 1923.

The House met at 10 o'clock.

Prayer was offered by the chaplain.

REPORTS OF COMMITTEES.

Mr. Converse of Lyme, for the Committee on Engrossed Bills reported that the Committee had examined and found correctly engrossed the following entitled bills and Joint resolutions:

Senate Bill No. 17, An act relating to the salary of the state agent for the blind.

Senate Bill No. 28, An act in amendment of the fish and game laws relating to the taking and possession of pickerel.

Senate Bill No. 32, An act to provide safety exit facilities of schoolhouses.

Senate Bill No. 37, An act designating the house of correction of Strafford County as a jail.

Senate Bill No. 41, An act to regulate the supply of fuel.

House Bill No. 221, An act in amendment of an addition to Chapter 78, Laws of 1897, as amended by Chapter 30, Laws of 1919, relating to the creation of voting districts and additional polling places in city wards.

House Bill No. 252, An act in amendment of Section 4, Chapter 76, Laws of 1895, relating to the protection from pollution of sources of water used for domestic purposes.

House Bill No. 308, An act to regulate the salary of the solicitor of Rockingham County.

House Bill No. 329, An act in amendment of Chapter 118 of the session Laws of 1921, entitled "An act to equalize the salaries of certain State Officials and establish maximum salary limits."

House Bill No. 351, An act in amendment of Chapter 177 of the Laws of 1917, entitled "An act to more effectively restrain agreements to regulate and fix prices of commodities in this State and to restrain combinations and monopolies in commodities and provide penalties therefor."

House Bill No. 354, An act to provide for the taxation of growing timber on wood lots not exceeding fifty acres.

House Bill No. 370, An act relating to motor vehicles.

House Bill No. 394, An act in amendment of paragraph 9 of Section 1, Chapter 83 of the Public Statutes, relating to paupers.

House Bill No. 396, An act to authorize the school district of the Town of Newmarket to exceed its limit of bonded indebtedness as fixed by Chapter 129, Laws of 1917.

Senate Bill No. 7, An act in relation to the foreclosure of power of sale mortgages of real estate.

Senate Bill No. 34 (In New Draft and Title), An act to prohibit the sale and manufacture of inflammable stove polishes.

House Bill No. 23, An act regulating the practice of chaining wheels on hills.

House Bill No. 353, An act relating to pensions for employees of the City of Nashua.

House Bill No. 359, An act in relation to standard time.

House Bill No. 371, An act relating to an abatement of State and County Taxes to towns having forest lands in the possession of the National Government.

House Bill No. 385, An act relating to the New Hampshire College of Agriculture and the Mechanic Arts and establishing the University of New Hampshire.

House Bill No. 395, An act in amendment of Section 1, Chapter 93, Laws of 1919, requiring annual returns of corporations.

House Joint Resolution No. 30, Joint resolution in aid of the Spanish-War veterans.

House Joint Resolution No. 46, Joint resolution for improvements at the New Hampshire State Sanatorium.

House Joint Resolution No. 51, Joint resolution in favor of the Margaret Pillsbury General Hospital and Dr. James W. Jameson.

House Joint Resolution No. 56, Joint resolution in favor of Henry Giddis.

House Joint Resolution No. 59, Joint resolution for repairs on State House and care of trees in yard.

House Joint Resolution No. 60, Joint resolution providing for the deficiency of the New Hampshire School for Feeble-Minded Children.

House Joint Resolution No. 67, Joint resolution for the repair of the Webster Birthplace in Franklin.

The report was accepted.

Mr. Converse of Lyme for the Committee on Engrossed Bills, to whom was referred House Bill No. 204, An act in amendment of Section 1 of Chapter 96 of the Session Laws of 1901, entitled: "An act relating to high schools," as amended by Chapter 118 of the Session Laws of 1903, as amended by Chapter 16, Laws of 1917, reported the same under Joint Rule 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the whole thereof and substituting the following title:

"An act relative to the tuition of children attending high school from districts not maintaining high schools."

Further amend said bill by striking out the whole of Section 1 and substituting in place thereof the following:

SECTION 1. Amend Section 24, Part IV, Chapter 85, Laws of 1921, by striking out the whole thereof and substituting in place thereof the following:

SECT. 24. Any district not maintaining a high school or school of corresponding grade shall pay for the tuition of any child who with parents or guardian resides in said district and who attends a high school or academy in another district in this State, and the parent or guardian of such child shall notify the school board of the district in which he resides of the high school or academy which he has determined to attend; *provided, however*, that no district shall be liable for tuition of a child in any school, in excess of the average cost per child of instruction for the regularly employed teachers of that school and the cost of text-books, supplies, and apparatus during the school year preceding, nor in any case shall the district be liable for tuition for any child in excess of seventy dollars (\$70) per year and in senior high school work only.

On motion of Mr. Lyford of Concord it was voted that the House adopt the amendment offered by the Committee on Engrossed Bills, and the bill sent to the Senate for concurrence in the amendment.

REGULAR ORDER.

Mr. Stevens of Landaff, called for the regular order, it being House Bill No. 9 (New Draft), An act to establish a legal rate of interest, with proposed amendments.

The question being on the amendments, Mr. Hoyt of Sandwich moved that the bill and proposed amendments be indefinitely postponed.

(Discussion ensued.)

Mr. Cloutman of Dover, moved the previous question, which was ordered.

The question being on the postponement, Mr. Lyford of Concord, called for a division, which was had with the following result:

For postponement, 132.

Against postponement, 139.

The question being on the amendment proposed by Mr. Winant of Concord, discussion ensued.

Mr. Foye of Manchester, moved the previous question, which was ordered.

The question being on the adoption of the amendment of Mr. Winant, Mr. Lyford of Concord, moved to substitute the amendment proposed by him.

A vote was against the substitution.

The question being on the amendment of Mr. Winant, the vote was against its adoption.

The question being on the amendment of Mr. Lyford, the vote was against its adoption.

Mr. Newton of Concord, offered the following amendment:

Amend the bill by adding at the end of Section 5, the following:

Mutual banking associations which lend to members only, are exempt from the provision of this act.

The amendment was rejected.

The bill was ordered to a third reading.

Mr. Stevens of Landaff moved that the rules be so far suspended as to allow the bill to be put on its third reading by title and passage at this time.

The question being on the suspension of the rules, Mr. Lyford of Concord called for a division, which was had with the following result:

For suspension: 218.

Against suspension: 70.

The rules were suspended, the bill read a third time by its title, passed, and sent to the Senate for concurrence.

#### RESOLUTION INTRODUCED.

Mr. Tobey of Temple presented the following resolution, which was not adopted:

*Resolved*, That the members of the House hereby give, assign and set over into the Fund for Near East Relief, one half of their salary due for their services in the present session, and the State Treasurer is hereby instructed to withhold the sum of \$100 from their salary when paid.

The resolution was not adopted.

On motion of Mr. Sibley of Manchester, the House took a recess of ten minutes.

(After recess.)

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has passed the following entitled House Bills and House Joint resolutions with amendments, in the passage of which amendments it asks the concurrence of the House of Representatives:

House Bill No. 163, An act in amendment of Chapter 212 of the Laws of 1913, relating to Advertisements during Strikes, Lockouts or other Labor Disputes.

Amend Section 1 of said bill by striking out all of said section following the word "dollars" in the eighth line thereof, so that said section as amended shall read as follows:



SECTION 1. Amend Section 3, Chapter 212, Laws of 1913, as amended by Section 2 of Chapter 99 of the Laws of 1917, by striking out the whole thereof and substituting the following:

“SECT. 3. If any person or persons shall violate any provision of this chapter or shall authorize or permit the violation of any provision of this chapter he shall be guilty of a misdemeanor and subject to a fine not exceeding one hundred dollars.”

House Bill No. 384, An act in amendment of Section 2, Chapter 116, Laws of 1913, relating to Caboose Cars.

Amend Section 1 of said bill by changing the period at the end thereof to a semi-colon, and adding the following words: *Provided, however*, that it shall not be unlawful for any such common carrier to operate within this State any such caboose car equipped with two-wheeled trucks in switching within yard limits or on runs which do not require the same crew to use any such caboose car for a greater distance than ten miles in the same day from the point where their work begins. So that said Section 1 as amended shall read as follows:

SECTION 1. Amend Section 2, Chapter 116, Laws of 1913, by striking out all of said section as it now stands and inserting in place thereof the following:

“SECT. 2. From and after the first day of July, 1924, it shall be unlawful for any such common carrier by railroad to build, construct, purchase or operate within this State any caboose car or any other car used for like purposes unless such caboose or other car shall be equipped with two four-wheeled trucks; *provided, however*, that it shall not be unlawful for any such common carrier to operate within this State any such caboose car equipped with two-wheeled trucks in switching within yard limits or on runs which do not require the same crew to use any such caboose car for a greater distance than ten miles in the same day from the point where their work begins.”

House Joint Resolution No. 4, Joint resolution to enable the State to co-operate with the United States in the promo-

tion of the welfare and hygiene of maternity and infancy in the State of New Hampshire.

Amend Joint House Resolution No. 4, by adding the following section:

SECT. 2. No official, or agent, or representative in carrying out the provisions of this act shall enter any home or take charge of any child over the objection of the parents, or either of them, or the person standing in loco parentis or having custody of such child. Nothing in this act shall be construed as limiting the power of a parent or guardian or the person standing in loco parentis to determine what treatment or correction shall be provided for a child or the agency or agencies to be employed for such purpose.

#### SENATE AMENDMENTS CONSIDERED.

On motion of Mr. Stevens of Landaff it was voted that the House non-concur with the Senate in the amendment adopted by the Senate to House Bill No. 163, An act in amendment of Chapter 212 of the Laws of 1913, relating to advertisements during strikes, lockouts or other labor disputes; and that a Committee of Conference be appointed.

Pursuant to that vote the Speaker appointed the following committee: Messrs. Stevens of Landaff, Wood of Portsmouth, Craig of Manchester.

On motion of Mr. Lang of Haverhill, it was voted that the House concur with the Senate in the adoption of the amendment to House Bill No. 384, An act in amendment of Section 2, Chapter 116, Laws of 1913, relating to caboose cars, and the bill was sent to the Secretary of State to be engrossed.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and Joint resolutions, sent up from the House of Representatives:

House Joint Resolution No. 16, Joint resolution for the

repair and improvement of highway in the Town of Brookfield.

House Joint Resolution No. 18, Joint resolution in favor of repairing Sugar Loaf Road in the Town of Alexandria.

House Joint Resolution No. 26, Joint resolution for improvements at the school for feeble-minded children.

House Joint Resolution No. 31, Joint resolution for the improvement of the Main Road in the Town of Tamworth from Whittier to Chocorua.

House Joint Resolution No. 45, Joint resolution for the improvement of a Highway leading from Freedom to East Madison.

House Joint Resolution No. 35, Joint resolution for the repair of the Highway leading from Dorchester to Lyme.

House Joint Resolution No. 32, Joint resolution to provide for co-operation with the United States Geological Survey in the establishment and maintenance of stream flow gauging stations.

House Joint Resolution No. 48, Joint resolution in favor of the New Hampshire State Prison.

House Joint Resolution No. 53, Joint resolution for the improvement of the Main Road leading from Effingham Falls to South Effingham.

House Joint Resolution No. 55, Joint resolution providing for the making of improvements, purchase of property and necessary repairs upon the buildings and grounds of the New Hampshire Veterans' Association at the Weirs for the fiscal years 1923-24 and 1924-5.

House Joint Resolution No. 65, Joint resolution in favor of Charles H. Chandler.

House Joint Resolution No. 66, Joint resolution in favor of Clarence G. Gove.

House Joint Resolution No. 68, Joint resolution to assist the Cities of Portsmouth and Dover in celebrating the Three Hundredth Anniversary of the first settlement of the State.

House Bill No. 79, An act in amendment of Section 7 of Chapter 58 of the Laws of 1915, entitled: An act in amend-

ment of Section 7 of Chapter 58 of the Laws of 1915 entitled, An act creating a Board of Bank Commissioners and abolishing the office of State Auditor.

House Bill No. 76, An act in amendment of Section 16 of Chapter 155, Laws of 1921, relating to the permanent construction of highway bridges throughout the State.

House Bill No. 111, An act relating to the salary of the Deputy Register of Probate for the County of Merrimack.

House Bill No. 230, An act to provide additional accommodations at the New Hampshire State Hospital.

House Bill No. 273, An act relating to poll tax of soldiers' widows.

House Bill No. 325 (New Draft), An act to regulate the sale of grain.

House Bill No. 344, An act in regard to the construction and maintenance of State aid, trunk line, cross State and State roads.

House Bill No. 374, An act authorizing permits to kill injurious animals.

House Bill No. 378, An act to amend Section 8 of Chapter 133 of the Laws of 1915, relating to damages by game birds and quadrupeds.

House Bill No. 386 (New Title and New Draft), An act concerning the granting of permits for the soliciting of funds for charitable purposes and for the sale of tags, flowers or other objects for charitable purposes.

House Bill No. 399, An act in amendment of Section 1, Chapter 30, Laws of 1915, relating to Municipal Courts.

House Bill No. 401, An act authorizing the School District of the Town of Epping to borrow money in excess of the limit prescribed by law.

House Bill No. 402, An act in amendment of Section 6, Chapter 103, Laws of 1915, relating to the report of the Highway Commissioner.

House Bill No. 404, An act in amendment of Section 29, Chapter 133, Laws of 1915, as amended by Section 6, Chapter 140, Laws of 1921, relating to fish and game.

House Bill No. 266, An act to increase the bounty on wildcats.

House Joint Resolution No. 3, Joint resolution providing for the erection of a dormitory at the Keene Normal School.

The message further announced that the Senate has voted to adopt the following amendment offered by the Committee on Engrossed Bills, to the following House Bill, in the adoption of which amendment the Senate asks the concurrence of the House of Representatives:

House Bill No. 366, An act in amendment of Chapter 125, Laws of 1921, providing for a reduction in the allotments of State Aid for Schools when the appropriation is insufficient to meet the approved claims of the school districts.

Amend Section 1 of said bill by striking out the following in line one thereof "Amend Section 5, Chapter 125, Laws of 1921", and by inserting in place thereof the following: "Amend Section 22, Chapter 106, Laws of 1919, as amended by Section 7, Chapter 125, Laws of 1921."

#### AMENDMENTS CONSIDERED.

On motion of Mr. Lyford of Concord, the House voted to adopt the amendment of the Committee on Engrossed Bills to House Bill No. 366, and the bill was sent to the Secretary of State to be engrossed.

On motion of Mr. Wright of Sanbornton, it was voted that the House concur with the Senate in the amendment adopted by the Senate, to House Joint Resolution No. 4, Joint resolution to enable the State to co-operate with the United States in the promotion of welfare and Hygiene of Maternity and Infancy in the State of New Hampshire.

The resolution was sent to the Secretary of State to be engrossed.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has passed the following House Bill in Senate New Draft, in the passage of which it asks the concurrence of the House of Representatives:

House Bill No. 380 (In Senate New Draft), An act relating to persons convicted of operating Motor Vehicles while under the influence of intoxicating liquor.

Read a first time.

On motion of Mr. Martin of Concord, it was voted that the House non-concur with the Senate in the passage of the bill in its new draft and that a committee of conference be appointed.

Pursuant to that vote, the Speaker appointed the following committee of conference: Messrs. Martin and Lyford of Concord, and Normandin of Laconia.

#### SENATE BILL CONSIDERED.

Senate Bill No. 39, An act in amendment of Section 16, Chapter 92, Laws of 1919, as amended by Chapter 97, Laws of 1921, said act relating to business corporations.

Read a first and second time.

On motion of Mr. Lyford of Concord, rules were suspended, the bill read a third time by its title, passed and sent to the Secretary of State to be engrossed.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bills and Joint resolutions, sent up from the House of Representatives:

House Joint Resolution No. 27, Joint resolution providing for extraordinary repairs and replacements at the New Hampshire State Hospital.

House Bill No. 151, An act relating to contracts for labor.

House Joint Resolution No. 62, Joint resolution in favor of appropriation for the purpose of additional State School Aid for the current year.

House Bill No. 241 (In New Draft), An act relating to the regulation of building and the location of trades and industries in cities and towns.

House Bill No. 383, An act in amendment of Section 5, Chapter 55, Laws of 1919, as amended by Section 3, Chapter 120, Laws of 1921, relating to permit fees on motor vehicles.

House Bill No. 222, An act relating to damages happening in the use of Highways and repealing Section 1, Chapter 59, Laws of 1893, as amended by Chapter 48, Laws of 1915, and repealing Sections 7, 8, 9 and 10 of Chapter 76 of the Public Statutes and any other statutes inconsistent with this act.

SENATE JOINT RESOLUTION CONSIDERED.

Senate Joint Resolution No. 4, Joint resolution in favor of Euclide and Marie Halde, parents of Wildred X. Halde, formerly private Battery "B", 172nd Field Artillery, New Hampshire National Guard: killed September 23, 1922, at Concord, New Hampshire.

Read a first and second time.

On motion of Mr. Lord of Manchester the rules were suspended, reference to the Appropriations Committee dispensed with, the Joint resolution read a third time, passed and ordered to the Secretary of State to be engrossed.

AMENDMENTS CONSIDERED.

On motion of Mr. Lyford of Concord it was voted that the House concur with the Senate in the adoption of the amendments of the Committee on Engrossed Bills, to the following bills:

House Bill No. 26, An act to control the possession, sale and use of pistols and revolvers.

House Bill No. 367, An act in amendment of the Charter of the New Hampshire Odd Fellows' Home.

The bills were sent to the Secretary of State to be engrossed.

On motion of Mr. Lyford of Concord it was voted that the House take a recess of one hour.

(After Recess.)

MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with

amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 397, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1924.

Amend bill by striking out the paragraph relating to the appropriations for the attorney-general's department and inserting in place thereof the following:

For the attorney-general's department, \$33,750 as follows: For salary of the attorney-general, \$3,500; for salary of the assistant attorney-general \$3,500; for traveling expenses, \$1,500; for clerical expense for the attorney-general, \$3,000; for clerical expense for the assistant attorney-general on account of the administration of the inheritance tax law (to include a third accountant at a salary not exceeding \$1,400) \$7,850; for incidentals, \$1,000; for supplies, \$900; for printing blanks, \$1,000; for copies of wills and records, \$8,000; for legacy tax and other litigation, investigations and appraisals, \$3,500.

Further amend the bill by striking out the paragraph relating to the appropriation for the State Board of Education and inserting in place thereof the following:

For the State Board of Education, \$575,000, in which sum is included the literary fund, and in addition to the \$575,000 the sums paid into the State Treasury as the forest reserve tax, the per capita tax and the tax on unorganized and other places. Of this appropriation, the sum of \$40,000 is to be expended for mothers' aid; a sum not to exceed \$38,000 for salaries of officers and employees of the State Board; a sum not to exceed \$340,000 for equalized State aid; and the sum of \$15,000 for rental of rooms for students at the normal schools.

The State Board of Education shall also receive for disbursement the income of the normal school dormitories and practice schools and the sums paid by school districts for the salaries of superintendents under Laws of 1921, 85, 1, 8 (23).

(In this department any balance which may be unex-



pended in the fiscal year ending June 30, 1924, shall be available for use in the following year.)

Amend the paragraph relating to the Department of Agriculture by striking out the whole thereof and substituting the following:

For the Department of Agriculture, \$140,400 as follows:

For the salary of the Commissioner, \$2,750; for the salary of the Deputy, \$2,400; for clerical expenses, \$2,200; for Advisory Board, \$300; for incidentals, \$500; for feeding stuffs inspection, \$3,000; for fertilizer inspection, \$2,500; for nursery inspection, \$500; for seed inspection, \$1,000; for insecticides and fungicides, \$500; for resources of State (publication), \$2,500; for milk dealers' licenses, \$500; for diseases of animals, \$100,000; for encouragement of sheep industry, \$500; for Granite State Dairymen's Association, \$1,000; for apple-grading law, \$250; for New Hampshire Horticultural Society, \$2,500; for Bureau of Markets, \$5,000; for moth suppression, \$12,500.

Further amend the bill by striking out in the last line of the paragraph relating to the appropriation for the Forestry Department the words: "White Pine Blister Rust, \$15,000 and substituting therefor the following: White Pine Blister Rust, \$10,000."

Amend Section 1 by adding at the end thereof, the following:

For the New Hampshire College of Agriculture and the Mechanic Arts to be expended for the construction of a dormitory wing to the College Commons building, \$90,000, and the State treasurer is hereby authorized, under the direction of the Governor and Council, to borrow on the credit of the State such sums as are needed to carry out the terms of this appropriation not to exceed in all the sum of \$90,000 and for that purpose may issue bonds and notes in the name and on behalf of the State, at the lowest rate of interest obtainable and in such form and such dimensions and on such time as the Governor and Council may determine. Such bonds or notes shall be countersigned by the Governor and shall be deemed a pledge of the faith and

credit of the State. The treasurer may negotiate and sell such bonds or notes in such manner as the Governor and Council may determine as most advantageous to the State. The Governor shall draw his warrant on the State treasury for the amounts that may become due from time to time for the purposes aforesaid.

House Bill No. 398, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1925.

Amend bill by striking out the paragraph relating to the appropriations for the attorney-general's department and inserting in place thereof, the following:

For the attorney-general's department, \$34,700 as follows: For salary of the attorney-general, \$3,500; for salary of the assistant attorney-general, \$3,500; for traveling expenses, \$1,500; for clerical expense of the attorney-general, \$3,000; for clerical expense for the assistant attorney-general on account of the administration of the inheritance tax law (to include a third accountant at a salary not exceeding \$1,400), \$8,100; for incidentals, \$1,000; for supplies, \$900; for printing blanks, \$1,000; for printing report, \$700; for copies of wills and records, \$8,000; for legacy tax and other litigation, investigations and appraisals, \$3,500.

Further amend the bill by striking out the paragraph relating to the appropriation for the State Board of Education and inserting in place thereof, the following:

For the State Board of Education, \$585,000, in which sum is included the literary fund, and in addition to the \$585,000 the sums paid into the State Treasury as the forest reserve tax, the per capita tax and the tax on unorganized and other places. Of this appropriation the sum of \$40,000 is to be expended for mothers' aid; a sum not to exceed \$38,000 for salaries of officers and employees of the State Board; a sum not to exceed \$340,000 for equalized State Aid; and the sum of \$15,000 for rental of rooms for students at the normal schools.

The State Board of Education shall also receive for disbursement the income of the normal school dormitories and

practice schools and the sums paid by school districts for the salaries of superintendents under Laws 1921, 85, I 8 (23).

(In this department any balance which may be unexpended in the fiscal year ending June 30, 1925, shall be available for use in the following year.)

Amend the paragraph relating to the Department of Agriculture by striking out the whole thereof and substituting the following:

For the Department of Agriculture, \$141,400, as follows: For the salary of the Commissioner, \$2,750; for the salary of the Deputy, \$2,400; for clerical expenses, \$2,200; for advisory board, \$300; for incidentals, \$500; for feeding stuffs inspection, \$3,000; for fertilizer inspection, \$2,500; for nursery inspection, \$500; for seed inspection, \$1,000; for insecticides and fungicides \$500; for resources of State (publication) \$2,500; for milk dealers' licenses, \$500; for printing report, \$1,000; for diseases of animals \$100,000; for encouragement of sheep industry, \$500; for New Hampshire Horticultural Society, \$2,500; for bureau of markets, \$5,000; for Granite State Dairymen's Association, \$1,000; for apple grading law \$250; for moth suppression, \$12,500.

Further amend bill by striking out in the last line of the paragraph relating to the appropriations for the Forestry Department the words "White Pine Blister Rust, \$17,000", and substituting therefor the following: "White Pine Blister Rust, \$12,000".

#### SENATE AMENDMENTS CONSIDERED.

Mr. Barry of Nashua, moved that the House non-concur with the Senate in the amendments adopted by the Senate, to House Bill No. 397, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1924, and for a Committee of Conference on the same.

Mr. Wright of Sanbornton, moved that the House concur with the amendments to that bill and adopted by the Senate.

The question being on the motion of Mr. Wright, discussion ensued.

Mr. Wright withdrew his motion.

The question being on the motion of Mr. Barry, discussion ensued.

Mr. Barry of Manchester, moved the previous question, which was ordered.

The question being on the motion of Mr. Barry of Nashua, to non-concur, and for a Committee of Conference, the vote was in the affirmative.

Mr. Wright of Sanbornton, moved that the Committee of Conference be instructed to approve the proposed amendments so far as they concern the appropriation of \$90,000.00 for the New Hampshire College of Agriculture.

(Discussion ensued.)

Mr. Morin of Manchester, moved the previous question which was ordered.

The question being on the adoption of the motion of Mr. Wright of Sanbornton, Mr. Martin of Concord called for a division, which was had with the following result:

For the motion, 124; against the motion, 183.

The motion was lost, and pursuant to the previous vote the Speaker appointed the following Committee of Conference: Messrs. Barry of Nashua, Lord of Manchester, Nourse of Littleton, Cheney of Concord, and Osborne of Sunapee.

Mr. Lyford of Concord, moved that the House non-concur with the Senate in the amendment adopted by the Senate to House Bill No. 398, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1925, and for the appointment of a Committee of Conference.

The vote was in the affirmative, and pursuant to that vote the Speaker appointed the following Committee of Conference: Messrs. Barry of Nashua, Lord of Manchester, Nourse of Littleton, Cheney of Concord, and Osborne of Sunapee.

(Mr. Cheney of Concord in the Chair.)

Mr. Lyford of Concord presented the following resolution which was unanimously adopted:

*Resolved*, That the thanks of this House are hereby given to the Honorable William J. Ahern for the courtesy and impartiality with which he has discharged the arduous duties of presiding officer, and that the members express to him their appreciation of his helpfulness and their warm personal regard that has come of the association of this session.

(The Speaker in the Chair.)

MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 163, An act in amendment of Chapter 219, Laws of 1913, relating to advertisements during strikes, lockouts, or other labor disputes, and the President has appointed Senators Swasey, Ripley and Lane as conferees on part of the Senate.

The message further announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference, on House Bill No. 380 (In Senate New Draft), An act relating to persons convicted of operating motor vehicles while under the influence of intoxicating liquor, and the President has appointed Senators Ripley, Jaquith and Lufkin as conferees on part of the Senate.

The message further announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bills:

House Bill No. 397, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30th, 1924.

House Bill No. 398, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30th, 1925.

And the president has appointed Senators Brown, Elder and Hammond as conferees on the part of the Senate.

The message further announced that the Senate has

voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 267, An act to amend Chapter 38, Laws of 1913, an act for bi-weekly payment for all State employees except salaried officers.

Amend Section 1 of said bill by inserting after the figure "1" in the first line thereof the following: "Chapter 38, Laws of 1913."

House Bill No. 14 (In New Draft, in Senate New Draft), An act, in amendment of Chapter 80 of the Laws of 1907, relating to marriages.

Amend said bill by inserting after the word "sixteen" in the fifth line the words "and by inserting after the word 'consent' in the sixth line the words 'or at the suit of his or her parent or guardian.' "

House Bill No. 50 (New Draft), An act in amendment of Section 4, Chapter 168, Laws of 1913, relating to State Highway from Merrimack Valley Road to East Side Route.

Amend said bill by inserting after the figures "1913" in the second line of the first section the words: "as amended by Section 1, Chapter 66, Laws of 1915."

House Bill No. 290 (New Draft), An act in amendment of Section 23, Chapter 133, Laws of 1915, and Section 20, Chapter 133, Laws of 1915, in relation to pheasants.

Amend the title of said bill by striking out the whole thereof and substituting the following title: An act relating to fish and game.

Amend Section 1 of said bill by inserting after the figures "1915" in the first line the words: "as amended by Section 5, Chapter 140, Laws of 1921."

Further amend said bill by striking out the first eight lines of Section 2 and substituting in place thereof the following:

SECT. 2. Amend Section 20, Chapter 133, Laws of 1915, as amended by Section 31, Chapter 184, Laws of 1917, and Section 13, Chapter 152, Laws of 1919, striking out in Sub-

division (c) the word "fifty" wherever it occurs and substituting in place thereof the word "twenty-five".

Further amend said Section 20, Chapter 133, Laws of 1915, as amended, by adding to said section a Sub-division (d) to read as follows:

(d) Male pheasants may be taken and possessed from November first to November sixth inclusive, in Hillsborough, Rockingham and Strafford counties only. A person may take a total of not more than two male pheasants in any one day and a total of not more than five male pheasants in any one open season.

House Bill No. 79, An act in amendment of Section 7 of Chapter 58 of the Laws of 1915, entitled: "An act creating a Board of Bank Commissioners and abolishing the office of State Auditor."

Amend Section 1 of said bill by adding after the word "limits" in the eleventh line an additional sentence to read as follows: The commissioners and the examiner shall be allowed their actual traveling expenses when engaged in their official duties, upon approval of the Governor and Council.

The message further announced that the Senate has voted to adopt the following report of the Committee of Conference on House Bill No. 73, in the adoption of which report it asks the concurrence of the House of Representatives:

The Committee on Conference, to whom was referred House Bill No. 73, An act in amendment of Section 13 of Chapter 191 of the Public Statutes, relating to suits by and against administrators, having considered the differences between the Senate and the House, make the following recommendation:

Strike out paragraph 4 of Section 13, of Chapter 191 of the Public Statutes, as amended by House Bill No. 73, and insert in place thereof the following:

4. If there be a child or children and no widow or widower, to the children of the deceased in equal shares the whole thereof, provided no child or children are dependent. If

there be minor children and dependent child or children, the whole thereof to the minor children and the dependent child or children in equal shares.

LEON D. RIPLEY,  
CLINTON S. OSGOOD,  
*Conferees on part of Senate.*

NATHANIEL E. MARTIN,  
JAMES O. LYFORD,  
*Conferees on part of House.*

#### AMENDMENTS CONSIDERED.

On motion of Mr. Lyford of Concord, it was voted that the House concur with the Senate in the amendments offered by the Committee on Engrossed Bills to the following bills:

House Bill No. 267, An act to amend Chapter 38, Laws of 1913, An act for the bi-weekly payment for all State employees except salaried officers.

House Bill No. 14 (In New Draft, In Senate New Draft), An act in amendment of Chapter 80 of the Laws of 1907, relating to marriages.

House Bill No. 50 (In New Draft), An act in amendment of Section 4, Chapter 168, Laws of 1913, relating to State Highway from Merrimack Valley Road to East Side Route.

House Bill No. 290 (In New Draft), An act in amendment of Section 23, Chapter 133, Laws of 1915, and Section 20, Chapter 133, Laws of 1915, in relation to pheasants.

House Bill No. 79, An act in amendment of Section 7 of Chapter 58 of the Laws of 1915, entitled: "An act creating a board of bank commissioners and abolishing the office of State auditor."

The bills were sent to the Secretary of State to be engrossed.

#### CONFERENCE COMMITTEE REPORT CONSIDERED.

On motion of Mr. Lyford of Concord it was voted that the House accept the report of the Committee on Confer-



ence on House Bill No. 73, An act in amendment of Section 13 of Chapter 191 of the Public Statutes, relating to suits by and against administrators.

The amendment was adopted and the bill sent to the Secretary of State to be engrossed.

#### REPORT OF COMMITTEE.

Mr. Colby of Plainfield for the Committee on Engrossed Bills reported that the Committee has examined and found correctly engrossed the following entitled bills and Joint resolutions:

Senate Bill No. 10, An act in amendment of Chapter 56 of the Public Statutes as amended by Chapter 12 of the Laws of 1921, relating to the exemption from taxation of veterans of the War of the Rebellion, the Spanish-American War, the Philippine Insurrection, the World War, and their wives and widows.

Senate Bill No. 29, An act in amendment of Section 3, Chapter 187 of the Session Laws of the year 1913, relating to the registration of foreign corporations.

House Bill No. 158, An act in amendment of Sections 4 and 5 of Chapter 65 of the Public Statutes and all amendments thereto, relating to the taxation of savings banks.

House Bill No. 209, An act to make uniform the law relating to the sale of goods and to be known as the Uniform Sales Act.

House Bill No. 218, An act to provide for a road toll and to amend Laws of 1921, Chapter 119, Section 25, relative to license fees on motor vehicles.

House Bill No. 350, An act in amendment of Section 1, Chapter 45, Laws of 1905, as amended by Chapter 25, Laws of 1905, as amended by Chapter 25, Laws of 1915, entitled: "An act for the protection of savings banks and other savings institutions."

House Bill No. 360, An act relative to the law of the road.

House Bill No. 375, An act relating to bonds to be furnished by officers of savings banks.

House Bill No. 400, An act authorizing the town of Alton

to vote to exempt from local taxes a proposed dam on Merry-meeting River.

House Bill No. 403, An act to authorize a proposed village sewer district in the Town of Derry to borrow money and to issue bonds.

House Joint Resolution No. 16, Joint resolution for the repair and improvement of highways in the Town of Brookfield.

House Joint Resolution No. 18, Joint resolution in favor of repairing Sugar Loaf Road in the Town of Alexandria.

House Joint Resolution No. 26, Joint resolution for improvements at the School for Feeble-Minded Children.

House Joint Resolution No. 31, Joint resolution for the improvement of the Main Road in the Town of Tamworth from Whittier to Chocorua.

The report was accepted.

Mr. Larochelle of Berlin for the Committee on Mileage made the following report:

*Resolved*, that each member of the House of Representatives be allowed the number of miles set opposite his name in the accompanying list and that the clerk be instructed to make a supplemental mileage roll in accordance therewith.

#### ROCKINGHAM COUNTY.

Stanley P. Trafton, Portsmouth	102
William Casey, Portsmouth	102

#### MERRIMACK COUNTY.

Joseph Newton, Franklin	102
Edward J. Judkins, Franklin	102

#### HILLSBOROUGH COUNTY.

George I. Sibley, Manchester	102
Arthur H. St. Germaine, Manchester	102
Pierre Gauthier, Manchester	102
Harry E. Nyberg, Manchester	102
Charles A. Grant, Manchester	102
Joseph Chevrette, Manchester	102
Oscar E. Getz, Manchester	102
Charles Morin, Manchester	102

## CHESHIRE COUNTY.

Arthur E. Wells, Walpole	77
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## SULLIVAN COUNTY.

Willard H. Walker, Unity	306
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## GRAFTON COUNTY.

Ransom S. Cross, Hanover	102
William D. Rudd, Franconia	340
Don Bridgeman, Hanover	102

## COOS COUNTY.

Harry B. Smith, Northumberland	102
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## REPORT OF COMMITTEE OF CONFERENCE.

The Committee of Conference to whom was referred House Bill No. 380, entitled: An act relating to persons operating motor vehicles while under the influence of intoxicating liquor, have reached a conclusion and make the following report:

The Conferees on the part of the House recommend that the House recede from its position and agree to the Senate amendment as contained in the Senate New Draft of House Bill No. 380.

LEON D. RIPLEY,  
JOHN A. JAQUITH,  
RALPH E. LUFKIN,

*Conferees on the part of the Senate.*

NATHANIEL E. MARTIN,  
JAMES O. LYFORD,  
F. E. NORMANDIN,

*Conferees on the part of the House.*

The report of the Committee was accepted.

The bill was then read a second time.

On motion of Mr. Lyford of Concord, the rules were suspended, the bill read a third time by its title, passed, and sent to the Secretary of State to be engrossed.

The Speaker then declared the House in recess for one hour.

(After recess.)

MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and Joint resolutions, sent up from the House of Representatives:

House Bill No. 231, An act in amendment of Section 1 of Chapter 41 of the Laws of 1921, relating to the exemption from taxation of the property of educational, charitable, religious and other societies and institutions.

House Joint Resolution No. 70, Joint resolution relating to the calling of the Constitutional Convention.

House Joint Resolution No. 71, Joint resolution in favor of James W. Pridham, Frederick W. Moore and others.

House Bill No. 172, An act relating to the salary of the motor vehicle commissioner.

House Bill No. 326, An act in amendment of Chapter 220 of the Laws of 1917, entitled: "An act relating to the salaries of certain State officials, in amendment of Section 11, Chapter 286, of the Public Statutes."

House Bill No. 408, An act providing for appropriations for certain expenses of the State for the year ending June 30, 1924.

House Bill No. 409, An act providing for the assessment and collection of an annual State tax for the term of two years.

House Bill No. 407, An act providing for appropriations for certain expenses of the State for the year ending June 30, 1925.

The message further announced that the Senate has voted to concur with the House of Representatives in the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 204, An act relative to the Tuition of

Children attending High School from Districts not maintaining High Schools.

The message further announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bills and Joint resolutions, sent up from the House of Representatives:

House Bill No. 405, An act relating to the taxation of Guaranty Savings Banks, Trust Companies and similar Corporations.

House Bill No. 406, An act in amendment of an act relating to the taxation of National Bank Stock, approved March 29, 1923.

House Joint Resolution No. 63, Joint resolution in favor of George W. Fadden.

House Joint Resolution No. 64, Joint resolution in favor of Burt W. Carleton.

House Joint Resolution No. 24, Joint resolution in favor of George I. Philbrick.

The message further announced that the Senate concurs with the House of Representatives in the passage of the following entitled Joint resolution, with amendment, in the passage of which amendments the Senate asks the concurrence of the House of Representatives;

House Joint Resolution No. 50, Joint resolution to provide for a water supply and for improvement of land at the State Forest Nursery.

House Joint Resolution No. 50, Joint resolution to amend the bill by striking out the words and figures "four thousand dollars (\$4,000)" in the eighth line and inserting in place thereof the words and figures "three thousand dollars (\$3,000)."

The message further announced that the Senate has passed House Bills with the following titles, in Senate New Draft, in the passage of which it asks the concurrence of the House of Representatives:

House Bill No. 276 (In Senate New Draft), An act relating to Pensioning of Employees of the Water Works' Department of the City of Manchester.

House Bill No. 341 (In Senate New Draft), An act relating to Pensions for employees of the City of Manchester.

The message further announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 176, An act in amendment of Chapter 163 of the Laws of 1911, entitled: "An act in relation to Employers' Liability and Workmen's Compensation."

Amend Section 2 of said bill by striking out after the word "amend", the following words, "Section 6, Division 1, by striking out the words 'Three Thousand' as the same appear therein and by substituting therefor the words 'Forty Five Hundred', and amend."

Further amend said section by striking out the words "four thousand five hundred dollars," in the twenty-fourth line of said section and substituting therefor the words "three thousand dollars" so that said section as amended shall read as follows:

SECT. 2. Amend Section 1, Division 1, Subdivision A, by striking out the words "resident of this State", and amend Division 2 of said section by inserting in the first sentence after the words "gainful employment" the words "for not less than one week" and by striking out in said sentence the words "at the end of the second week after" and by inserting in place thereof the words "from the time of", and further amend said Division 2 by striking out the words "Ten Dollars" as the same appear therein and by substituting therefor the words "Fifteen Dollars", so that as amended, said section shall read:

"SECT. 6. (1) The amount of compensation shall be, in case death results from injury: (a) If the workman leaves any widow, children or parents, at the time of his death, then wholly dependent on his earnings, a sum to compensate them for loss, equal to one hundred and fifty times the average weekly earnings of such workman when at work on full time during the preceding year during which he shall

have been in the employ of the same employer, or if he shall have been in the employment of the same employer for less than a year then one hundred and fifty times his average weekly earnings on full time for such less period, but in no event shall such sum exceed three thousand dollars. Any weekly payments made under this act shall be deducted from the sum so fixed. (b) If such widow, children or parents at the time of his death are in part only dependent upon his earnings, such proportion of the benefits provided for those wholly dependent as the amount of the wage contributed by the deceased to such partial dependents at the time of injury bore to the total wage of the deceased. (c) If he leaves no such dependents, the reasonable expenses of his medical attendance and burial, not exceeding one hundred dollars. Whatever sum may be determined to be payable under this act in case of death of the injured workman shall be paid to his legal representative for the benefit of such dependents, or if he leaves no such dependents, for the benefit of the persons to whom the expenses of medical attendance and burial are due.

(2) Where total or partial incapacity for work at any gainful employment for not less than one week results to the workman from the injury, a weekly payment commencing from the time of the injury and continuing during such incapacity, subject as herein provided, not exceeding fifty per centum of his average weekly earnings when at work on full time during the preceding year during which he shall have been in the employment of the same employer, or if he shall have been in the employment of the same employer for less than a year, then a weekly payment of not exceeding one half the average weekly earnings on full time for such less period. In fixing the amount of the weekly payment, regard shall be had to the difference between the amount of the average earnings of the workman before the accident and the average amount he is able to earn thereafter as wages in the same employment or otherwise. In fixing the amount of the weekly payment, regards shall be had to any payment, allowance or benefit which the workman may

have received from the employer during the period of his incapacity, and in the case of partial incapacity the weekly payment shall in no case exceed the difference between the amount of the average weekly earnings of the workman before the accident and the average weekly amount which he is earning or is able to earn in the same employment or otherwise after the accident, but shall amount to one-half of such difference. In no event shall any compensation paid under this act exceed the damage suffered, nor shall any weekly payment payable under this act in any event exceed fifteen dollars a week or extend over more than three hundred weeks from the date of the accident. Such payment shall continue for such period of three hundred weeks provided total or partial disability continue during such period. No such payment shall be due or payable for any time prior to the giving of the notice required by Section 5 of this act."

House Bill No. 158 (New Draft), An act in amendment of Sections 4 and 5 of Chapter 65 of the Public Statutes and all amendments thereto, relating to the taxation of saving banks.

SECTION 1. Amend Section 4, Chapter 65 of the Public Statutes, as amended by Section 1, Chapter 108 of the Laws of 1895, Section 1, Chapter 82, Laws of 1901, Section 1, Chapter 102, Laws of 1907, Section 1, Chapter 112, Laws of 1913, Section 1, Chapter 83, Laws of 1915, and Section 1, Chapter 124, Laws of 1917, by striking out the entire section and inserting in the place thereof a new section to read as follows: SECT. 4. The treasurer of every savings bank, trust company, loan and trust company, loan and banking company, building and loan association and other similar corporations organized under the laws of this State shall, on or before the first day of May in each year, transmit to the State treasurer, upon blanks to be furnished by him, a statement, under oath, of the following facts as they existed on the first day of April in such year: The amount of all savings and special deposits on which the corporation pays interest and of its capital stock belonging to residents of each town in the State, including all dividends that have been declared thereon and not paid; the value of the interest



of such residents in all the real estate of the corporation wherever situated, and all the loans of the corporation secured by mortgage upon real estate situated in this State, made at a rate not exceeding five per cent. per annum, and the amount invested in the bonds and notes of this State or any of the counties, municipalities, school districts and village precincts of this State, provided such bonds and notes bear interest at a rate not exceeding five per cent. per annum, and the amount invested in United States bonds, and in the bonds issued under the provisions of the federal farm loan act, and the amount not exceeding five per cent. of the deposits invested in acceptances of member banks of the Federal Reserve System of the kinds and maturities made eligible for re-discount or purchase by Federal Reserve Banks, and the amount invested in the capital stock of national banks located in this State, if it were divided proportionately among all depositors of the corporation; the difference between the two sums for each town; and the same facts in relation to depositors and stockholders who do not reside in the State or whose residence is unknown.

SECT. 2. Amend Section 5, Chapter 65 of the Public Statutes, as inserted by Section 2, Chapter 194, Laws of 1911, and amended by Section 1, Chapter 112, Laws of 1913, and by Section 1, Chapter 83, Laws of 1915, and by Section 2, Chapter 124, Laws of 1917, by striking out the entire section and inserting in place thereof a new section to read as follows: SECT. 5. Every such corporation, except building and loan associations, organized under the provisions of the Public Statutes, shall pay to the State treasurer annually, on the first day of October, an excise tax for the privilege of conducting the business of a savings bank or other such corporation, equal in amount to three quarters of one per cent. upon the amount of the savings deposits on which it pays interest, after deducting the value of all its real estate wherever situated and the value of all its loans secured by mortgage upon real estate situated in this State made at a rate not exceeding five per cent. per annum; and the amount invested in bonds or notes of this State or any

of the counties, municipalities, school districts or village precincts of this State, provided such bonds and notes bear interest at a rate not exceeding five per cent. per annum, and the amount invested in United States bonds and in the bonds issued under the provisions of the federal farm loan act, and the amount not exceeding five per cent. of the deposits invested in acceptances of member banks of the Federal Reserve System of the kinds and maturities made eligible for re-discount or purchase by Federal Reserve Banks, and the amount invested in the capital stock of national banks located in this State; and every guaranty savings bank, trust company, loan and trust company, loan and banking company, and all other similar corporations, except building and loan associations, shall in addition pay a further excise tax for the privilege of conducting such business, equal in amount to one per cent. annually upon its special deposits or capital stock, after deducting the value of all real estate owned by the corporation and not already deducted from the amount of its general deposits as hereinbefore provided. No deduction from deposits subject to tax on account of real estate loans made in New Hampshire shall be allowed, if the borrower either directly or indirectly pays a larger rate of interest than five per cent.

#### SENATE AMENDMENTS CONSIDERED.

On motion of Mr. Stevens of Landaff it was voted that the House concur with the amendments adopted by the Senate to House Bill No. 176, An act in amendment of Chapter 163 of the Laws of 1911, entitled: "An act in relation to employers liability and workmens compensation," and the bill was sent to the Secretary of State to be engrossed.

#### SENATE NEW DRAFTS INTRODUCED.

The following House Bills in Senate New Draft were considered:

House Bill No. 341 (In Senate New Draft), An act relating to pensions for employees in the City of Manchester.

Read a first and second time.

On motion of Mr. Cox of Manchester the rules were suspended, the bill read a third time by its title, passed and sent to the Secretary of State to be engrossed.

House Bill No. 276 (In Senate New Draft), An act relating to the pensioning of employees of the Water Works Department of the City of Manchester.

Read a first and second time.

On motion of Mr. McDonnell of Manchester the rules were suspended, the bill read a third time by its title, passed and sent to the Secretary of State to be engrossed.

#### SENATE AMENDMENT CONSIDERED.

On motion of Mr. Murdock of Hill it was voted that the House concur with the Senate in the amendment adopted by the Senate to House Joint Resolution No. 50, Joint resolution to provide for a water supply and for improvement of land at the State Forest Nursery.

On motion of Mr. Stevens of Landaff, it was voted that the House concur with the Senate in the amendment adopted by the Senate to House Bill No. 158 (In New Draft), An act in amendment of Sections 4 and 5 of Chapter 65 of the Public Statutes and all amendments thereto, relating to the taxation of savings banks.

The bill and Joint resolution were sent to the Secretary of State to be engrossed.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to adopt the recommendation of the Committee of Conference and recede from its amendment to House Bill No. 163, An act in amendment of Chapter 212 of the Laws of 1913, relating to advertisements during strikes, lock-outs or other labor disputes, and agree to the bill as passed by the House.

The message further announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendment offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 79, An act in amendment of Section 7 of Chapter 58 of the Laws of 1915, entitled: "An act creating a Board of Bank Commissioners and abolishing the office of State Auditor."

The message further announced that the Senate refuses to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 404, An act in amendment of Section 29, Chapter 133, Laws of 1915, as amended by Section 6, Chapter 140, Laws of 1921, relating to fish and game.

#### REPORT OF COMMITTEE.

Mr. Converse of Lyme for the Committee on Engrossed Bills reported that the Committee has examined and found correctly engrossed the following bills:

Senate Bill No. 35, An act to establish water works in the Town of Hooksett or any village districts thereof.

Senate Bill No. 39, An act in amendment of Section 16, Chapter 92, Laws of 1919, as amended by Chapter 97, Laws of 1921, said act relating to business corporations.

House Bill No. 26, An act to control the possession, sale, and use of pistols and revolvers.

House Bill No. 28, An act for the taxing of income derived from intangibles.

House Bill No. 76, An act in amendment of Section 16 of Chapter 155, Laws of 1921, relating to the permanent construction of highway bridges throughout the State.

House Bill No. 111, An act relating to the salary of the deputy register of probate of the County of Merrimack.

House Bill No. 230, An act to provide additional accommodations at the New Hampshire State Hospital.

House Bill No. 266, An act to increase the bounty on wildcats.

House Bill No. 273, An act relating to poll tax of soldiers' widows.

House Bill No. 325, An act to regulate the sale of grain. (New Draft).

House Bill No. 344, An act in regard to the construction

and maintenance of State aid, trunk line, cross State, and State roads.

House Bill No. 367, An act in amendment of the Charter of the New Hampshire Odd Fellows' Home.

House Bill No. 374, An act authorizing permits to kill injurious animals.

House Bill No. 378, An act to amend Section 8 of Chapter 133 of the Laws of 1915, relating to damages by game birds and quadrupeds.

House Bill No. 384, An act in amendment of Section 2, Chapter 116, Laws of 1913, relating to caboose cars.

House Bill No. 386 (In New Draft and Title), An act concerning the granting of permits for the soliciting of funds for charitable purposes and for sale of tags, flowers or other objects for charitable purposes.

House Bill No. 389, An act empowering the City of Nashua to incur debts to the amount of six per cent. of its valuation.

House Bill No. 399, An act in amendment of Section 1, Chapter 30, Laws of 1915, relating to municipal courts.

House Bill No. 401, An act authorizing the school district of the Town of Epping to borrow money in excess of the limit prescribed by Law.

House Bill No. 402, An act in amendment of Section 6, Chapter 103, Laws of 1915, relating to the report of the highway commissioner.

The report was accepted.

#### REPORT OF COMMITTEE OF CONFERENCE.

The Committee of Conference to whom was referred House Bill No. 397, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1924, make the following report:

The Committee recommends that the House recede from its position of non-concurrence and agree to concur with the Senate in the increase in the attorney-general's department from \$31,900 to \$33,750 for the year ending June 30, 1924.

The Committee recommends that the House recede from

its position of non-concurrence and agree to concur with the Senate in the increase in the department of the State Board of Education from \$486,000 to \$532,000 for the year ending June 30, 1924.

The Committee recommends that the Senate recede from its position of non-concurrence and agree to concur with the House in the appropriation for the Department of Forestry for the year ending June 30, 1924.

The Committee recommends that the Senate recede from its position of non-concurrence and agree to concur with the House in the appropriation for the New Hampshire College of Agriculture and the Mechanic Arts for the year ending June 30, 1924.

The Committee recommends that the House recede from its position of non-concurrence and agree to concur with the Senate in the increase in the department of agriculture (for diseases of animals) from \$85,000 to \$100,000 for the year ending June 30, 1924.

ORA A. BROWN,  
CLINTON S. OSGOOD,  
JOHN S. HURLEY,  
H. FOSTER ELDER,  
JOHN A. HAMMOND,  
*Conferees for the Senate,*

WILLIAM H. BARRY,  
HARRY T. LORD,  
FRED O. NOURSE,  
HARRY M. CHENEY,  
LEO L. OSBORNE,  
*Conferees for the House.*

On motion of Mr. Barry of Nashua, it was voted that the House adopt the report of the Committee of Conference.

On motion of Mr. Barry of Nashua, it was voted that the House concur with the Senate in the amendments in accordance with the recommendations of the Committee of Conference.

The bill was sent to the Secretary of State to be engrossed.

The Committee on Conference, to whom was referred House Bill No. 398, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1925, make the following report:

The Committee recommends that the House recede from its position of non-concurrence and agree to concur with the Senate in the increase in the attorney-general's department from \$32,750 to \$34,700 for the year ending June 30, 1925.

The Committee recommends that the House recede from its position of non-concurrence and agree to concur with the Senate in the increase in the department of the State Board of Education from \$486,000 to \$542,000 for the year ending June 30, 1925.

The Committee recommends that the House recede from its position of non-concurrence and agree to concur with the Senate in the increase in the department of agriculture (for diseases of animals) from \$85,000 to \$100,000 for the year ending June 30, 1925.

The Committee recommends that the Senate recede from its position of non-concurrence and agree to concur with the House in the appropriation for the department of forestry for the year ending June 30, 1925.

ORA A. BROWN,  
H. FOSTER ELDER,  
JOHN A. HAMMOND,  
CLINTON S. OSGOOD,  
JOHN S. HURLEY,

*Conferees for the Senate.*

WILLIAM H. BARRY,  
HARRY T. LORD,  
FRED O. NOURSE,  
HARRY M. CHENEY,  
LEO L. OSBORNE,

*Conferees for the House.*

On motion of Mr. Barry of Nashua it was voted that the House adopt the report of the Committee of Conference.

On motion of Mr. Barry of Nashua it was voted that the House concur with the Senate in the amendments in accordance with the recommendation of the Committee of Conference.

The bill was sent to the Secretary of State to be engrossed.

#### COMMITTEE REPORT.

Mr. Colby of Plainfield for the Committee on Engrossed Bills, to whom was referred House Bill No. 341 (In Senate New Draft), An act relating to pensions for employees of the City of Manchester, reported the same under Joint Rule 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 1 of said bill by inserting after the word "which" in the sixth line the word "any"; by inserting after the word "of" in the eighth line the word "such"; by striking out the word "departments" in the eighth line and substituting therefor the word "department"; by striking out the word "any" in the ninth line and substituting therefor the word "such."

The report was accepted, the amendment adopted and the bill sent to the Senate for concurrence in the amendment.

Mr. Colby of Plainfield, for the Committee on Engrossed Bills, reported that the Committee has examined and found correctly engrossed the following bills and Joint resolutions:

House Bill No. 14, An act in amendment of Chapter 80, of the Laws of 1907, relating to marriages.

House Bill No. 50, An act in amendment of Section 4, Chapter 168, Laws of 1913, relating to the State highway from Merrimack Valley road to East Side route.

House Bill No. 73, An act in amendment of Section 13 of Chapter 191 of the Public Statutes, relating to suits by and against administrators.

House Bill No. 172, An act relating to the salary of the motor vehicle commissioner.

House Bill No. 204, An act in amendment of Section 1 of Chapter 96 of the Session Laws of 1901, entitled: "An act



relating to high schools," as amended by Chapter 118 of the Session Laws of 1903, as amended by Chapter 16, Laws of 1917.

House Bill No. 267, An act to amend Chapter 38, Laws of 1913, "An act providing for the bi-weekly payment of all State employees, except salaried officers."

House Bill No. 326, An act in amendment of Chapter 220 of the Laws of 1917, entitled: "An act relating to the salaries of certain State officials, in amendment of Section 11, Chapter 286 of the Public Statutes."

House Bill No. 366, An act in amendment of Chapter 125, Laws of 1921, providing for a reduction in the allotments of State aid for schools when the appropriation is insufficient to meet the approved claims of the school districts.

Senate Joint Resolution No. 4, Joint resolution in favor of Euclide and Marie Halde, parents of Wilfred X. Halde, formerly Private, Battery B, 172nd Field Artillery, New Hampshire National Guard, killed September 23, 1922, at Concord, New Hampshire.

House Joint Resolution No. 3, Joint resolution providing for the erection of a dormitory at the Keene Normal School.

House Joint Resolution No. 4, Joint resolution to enable the State to co-operate with the United States in the promotion of the welfare and hygiene of maternity and infancy in the State of New Hampshire.

House Joint Resolution No. 32, Joint resolution to provide for co-operation with the United States geological survey in the establishment and maintenance of stream flow gauging stations.

House Joint Resolution No. 35, Joint resolution for the repair of the highway leading from Dorchester to Lyme.

House Joint Resolution No. 45, Joint resolution for the improvement of a highway leading from Freedom to East Madison.

House Joint Resolution No. 48, Joint resolution in favor of the New Hampshire State Prison.

House Joint Resolution No. 53, Joint resolution for the

improvement of the main road leading from Effingham Falls to South Effingham.

House Joint Resolution No. 55, Joint resolution providing for the making of improvements, purchase of property and necessary repairs upon the buildings and grounds of the New Hampshire Veterans' Association at the Weirs for the fiscal years 1923-1924 and 1924-1925.

House Joint Resolution No. 65, Joint resolution in favor of Charles H. Chandler.

House Joint Resolution No. 66, Joint resolution in favor of Clarence G. Gove.

House Joint Resolution No. 68, Joint resolution to assist the Cities of Portsmouth and Dover in celebrating the three hundredth anniversary of the first settlement of the State.

House Joint Resolution No. 70, Joint resolution relating to the calling of the Constitutional Convention.

The report was accepted.

#### MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the House of Representatives in the passage of the following Joint resolution, sent up from the House of Representatives:

House Joint Resolution No. 49, Joint resolution in favor of K. R. Foster.

The message further announced that the Senate has adopted the recommendation of the Committee of Conference to the following entitled bills:

House Bill No. 397, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1924.

House Bill No. 398, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1925.

The message further announced that the Senate has refused to accept House Bill No. 9 (In New Draft), An act to establish a legal rate of interest, two-thirds of those present

failing to vote in favor of a suspension of Rule 11 of the Joint Rules of the Senate and House of Representatives.

(Mr. Duncan of Jaffrey in the Chair.)

MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the House of Representatives in its adoption of the amendments of the Committee on Engrossed Bills to the following House Bill; House Bill No. 341 (In Senate New Draft), An act relating to pensions for employees of the City of Manchester.

(The Speaker in the Chair.)

Mr. Barry of Nashua offered the following resolution which was adopted:

*Resolved*, by the House of Representatives the Senate concurring, that a committee of ten be appointed to join with such committee as the Senate may designate, to wait upon His Excellency the Governor, and inform him that the Legislature has completed the business of the session and is ready to receive any communication he may be pleased to make.

Pursuant thereto the Speaker appointed the following committee: Messrs. Barry of Nashua, Mortenson of Gorham, Newton of Concord, Philbrick of Freedom, Blanchard of Moultonboro, Callahan of Keene, Lang of Haverhill, Cronin of Portsmouth, Reynolds of Dover, and Gannon of Concord.

MESSAGE FROM THE SENATE.

A message from the Honorable Senate by its clerk announced that the Senate has voted to concur with the House of Representatives in the adoption of the following resolution:

*Resolved*, By the House of Representatives, the Senate concurring, that a committee of ten be appointed to join with such committee as the Senate may designate to wait upon His Excellency the Governor and inform him that the

Legislature has completed the business of the session and is ready to receive any communication he may be pleased to make.

The President has named as members of such committee on the part of Senate:

Senators Rice, Tripp, Coulombe, Swasey, Elder, Holmes, Burns and Lane.

#### REPORT OF COMMITTEE.

Mr. Converse of Lyme for the Committee on Engrossed Bills, reported that the committee has examined and found correctly engrossed the following entitled bills and Joint resolutions:

House Bill No. 176, An act in amendment of Chapter 163 of the Laws of 1911, entitled: "An act in relation to employers' liability and workmen's compensation."

House Bill No. 231, An act in amendment of Section 1 of Chapter 41 of the Laws of 1921, relating to the exemption from taxation of the property of educational, charitable, religious and other societies and institutions.

House Bill No. 341 (In Senate New Draft), An act relating to pensions for employees of the City of Manchester.

House Bill No. 397, An act making appropriations for the expenses of the State of New Hampshire for the year ending June 30, 1924.

House Bill No. 398, An act making appropriations for the expense of the State of New Hampshire for the year ending June 30, 1925.

House Joint Resolution No. 49, Joint resolution in favor of K. R. Foster.

House Bill No. 79, An act in amendment of Section 7 of Chapter 58 of the Laws of 1915, entitled: "An act creating a board of bank commissioners and abolishing the office of State auditor."

House Bill No. 163, An act in amendment of Chapter 212 of the Laws of 1913, relating to advertisements during strikes, lockouts or other labor disputes.

House Bill No. 276, An act relating to pensioning of

employees of the waterworks department of the City of Manchester.

House Bill No. 290, An act relating to fish and game.

House Bill No. 380 (In Senate New Draft), An act relating to persons convicted of operating motor vehicles while under the influence of intoxicating liquor.

House Bill No. 407, An act providing for appropriations for certain expenses of the State for the year ending June 30, 1925.

House Bill No. 408, An act providing for appropriations for certain expenses of the State for the year ending June 30, 1924.

House Bill No. 409, An act to provide for the assessment and collection of an annual State tax for the term of two years.

House Joint Resolution No. 50, Joint resolution to provide for a water supply and for improvement of land at the State forest nursery.

House Joint Resolution No. 71, Joint resolution in favor of James W. Pridham, Frederick W. Moore and others.

House Bill No. 158, An act in amendment of Sections 4 and 5 of the Public Statutes and all amendments thereto, relating to the taxation of savings banks.

The report was accepted.

#### INDEFINITELY POSTPONED.

Pursuant to the resolution of adjournment the following matters were indefinitely postponed:

Senate Joint Resolution No. 5, Senate Bill No. 19, House Bills No. 46, 47, 61, 165, 182, 201, 216, 246, 265, 300, 307, 319, 320, 321, 331, 340, 373, 379, 388.

#### COMMITTEE REPORT.

Mr. Barry of Nashua, for the joint committee appointed to wait upon His Excellency, the Governor, and inform him that the legislature had completed its duties, reported that they had attended to their duties and that the Governor informed them that he had a communication to lay before the House.

The report was accepted, and His Excellency, Hon. Fred H. Brown, then came in and delivered the following message:

*To the House of Representatives:*

I have been informed by joint committee of the Senate and House of Representatives that you have completed the business of the session and are ready to adjourn, and I do by the authority vested in me as Governor hereby declare the General Court of New Hampshire adjourned to the last Wednesday in December, in the year of Our Lord, One Thousand Nine Hundred and Twenty-four.

FRED H. BROWN,  
*Governor.*

Whereupon the Speaker declared the House adjourned to the last Wednesday in December, 1924.

RANDOLPH W. BRANCH,  
*Clerk.*

A true copy. Attest

RANDOLPH W. BRANCH,  
*Clerk.*

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## ERRATA.

Page 328. House Bill No. 168 should read: The bill was sent to the Secretary of State to be engrossed.



# TABLE OF LEGISLATION.

✓—Passed.

=—Indefinitely postponed by adjournment.

×—Failed to pass Senate.

±—Otherwise disposed of.

Those that bear no symbol failed to pass House.

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Sheriff of Hillsborough County (Senate Bill 20)  
Solicitor of Rockingham County (House Bill 308)  
Special Justices of Municipal Courts (House Bill 399)  
State Agent for the Blind (Senate Bill 17)  
Treasurer of Hillsborough County (House Bill 253)  
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- Salem. Bonds of School District of (House Bill 356)  
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